



**International Labour Organization
International Programme on the Elimination of Child Labour (IPEC)**

**Investigating the Worst Forms of Child Labour No. 5
Nepal
Bonded Labour Among Child Workers of the Kamaiya System:
A Rapid Assessment**

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Preface

Unacceptable forms of exploitation of children at work exist and persist, but they are particularly difficult to research due to their hidden, sometimes illegal or even criminal nature. Slavery, debt bondage, trafficking, sexual exploitation, the use of children in the drug trade and in armed conflict, as well as hazardous work are all defined as Worst Forms of Child Labour. Promoting the Convention (No. 182) concerning the Prohibition and immediate action for the Elimination of the Worst Forms of Child Labour, 1999, is a high priority for the International Labour Organization (ILO). Recommendation (No. 190, Paragraph 5) accompanying the Convention states that “detailed information and statistical data on the nature and extent of child labour should be compiled and kept up to date to serve as a basis for determining priorities for national action for the abolition of child labour, in particular for the prohibition and elimination of its worst forms, as a matter of urgency.” Although there is a body of knowledge, data, and documentation on child labour, there are also still considerable gaps in understanding the variety of forms and conditions in which children work. This is especially true of the worst forms of child labour, which by their very nature are often hidden from public view and scrutiny.

Against this background the ILO, through IPEC/SIMPOC (International Programme on the Elimination of Child Labour/Statistical Information and Monitoring Programme on Child Labour) has carried out 38 rapid assessments of the worst forms of child labour in 19 countries and one border area. The investigations have been made using a new rapid assessment methodology on child labour, elaborated jointly by the ILO and UNICEF¹. The programme was funded by the United States Department of Labor.

The investigations on the worst forms of child labour have explored very sensitive areas including illegal, criminal or immoral activities. The forms of child labour and research locations were carefully chosen by IPEC staff in consultation with IPEC partners. The rapid assessment investigations focused on the following categories of worst forms of child labour: children in bondage; child domestic workers; child soldiers; child trafficking; drug trafficking; hazardous work in commercial agriculture, fishing, garbage dumps, mining and the urban environment; sexual exploitation; and working street children.

To the partners and IPEC colleagues who contributed, through their individual and collective efforts, to the realisation of this report I should like to express our gratitude. The responsibility for opinions expressed in this publication rests solely with the authors and does not imply endorsement by the ILO.

I am sure that the wealth of information contained in this series of reports on the situation of children engaged in the worst forms of child labour around the world will contribute to a deeper understanding and allow us to more clearly focus on the challenges that lie ahead. Most importantly, we hope that the studies will guide policy makers, community leaders, and practitioners to tackle the problem on the ground.



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¹ Investigating Child Labour: Guidelines for Rapid Assessment - A Field Manual, January 2000, a draft to be finalized further to field tests, <http://www.ilo.org/public/english/standards/ipec/simpoc/guides/index.htm>

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This rapid assessment research report has been prepared to enhance the understanding of the plight of child labourers from the Kamaiya families of Nepal. Both the children and their employers extended highest levels of cooperation during the field information collection, for which we are most appreciative.

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Contents

1.	Introduction	9
1.1	The Problem	9
	<i>1.1 Kamaiya bonded labour in Nepal</i>	10
	<i>1.1.2 The incidence of bonded child labour</i>	10
1.2	Objectives	10
1.3	Analytical Framework: ILO Convention No. 182	11
1.4	Child Bonded Labour and the Worst Forms of Child Labour	12
1.5	Methodology	12
	<i>1.5.1 Sampling</i>	13
	<i>1.5.2 Questionnaires</i>	14
	<i>1.5.3 Focus Group Discussions</i>	14
	<i>1.5.4 Key Informant Interviews</i>	15
1.6	Limitations and Lessons Learned	15
2.	Respondents and Their Families	16
2.1	Working Children in Kamaiya Households	18
2.3	Household Poverty and Survival Strategies	20
2.4	Household Poverty and Survival Strategies	22
2.5	Child Labour Among the (Ex-) Kamaiyas	23
3.	Working Conditions	24
3.1	Hours, Tasks and Risks	24
3.2	Remuneration	26
3.3	Perceptions of Work	28
3.4	Child Labour in the Kamaiya System and the Worst Forms of Child Labour	29
4.	Aspects of Bonded Child Labour	32
4.1	Entry into Child Labour	33
4.2	Restricted Mobility and Indebtedness	33
4.3	Bonded Child Labourers	35
5.	Conclusions	37
5.1	Conclusions	37
5.2	The Issue of Bonded Child Labour	37
5.3	Changing Kamaiya Labour Practices	37
5.4	Unexamined Bonded Labour Relations	38
6.	Approaches and Recommendations	39
6.1	Approaches to Child Labour	39
	<i>6.1.1 Poverty Reduction</i>	39
	<i>6.1.2 Awareness and Advocacy</i>	39
	<i>6.1.3 Education and Training</i>	39
	<i>6.1.4 Legislative Measures</i>	40
6.2	Stakeholders	40
6.3	Areas of Importance to Kamaiya	40
6.4	Recommendations Specific to Kamaiya Bonded child labourers	42
	<i>6.4.1 Strategy</i>	42
	<i>6.4.2 Policy</i>	42
	<i>6.4.3 Labour Practices</i>	42
	<i>6.4.4 Programme Design</i>	42

	<i>6.4.5 Building Knowledge</i>	43
7.	References	44
8.	Appendix I: Field Study Team Members	45
9.	Appendix II: Questionnaire	46

Tables

Table 1.1	Selection of VDCs, Households, and Children Interviewed	14
Table 2.1	Distribution of Sample Kamaiya Households by District	16
Table 2.2	Children Aged 5 to 18 Years by District	17
Table 2.3	Work Status of Children Aged 5 to 18 Years	17
Table 2.4	Other Wage Workers Below 18 Years	18
Table 2.5	Children Working Inside and Outside Their Villages	18
Table 2.6	Distribution of Wage Child Labour Respondents by District and Gender	19
Table 2.7	Distribution of Wage Child Labourers by Age	19
Table 2.8	Starting Age of Work	19
Table 2.9	Educational Status	20
Table 2.10	Wage Child Labourers Attending School	20
Table 2.11	Family Size	21
Table 2.12	Status of Parents	21
Table 2.13	Birth Rank	21
Table 2.14	Landholding Pattern of Wage Child Labour Families	22
Table 2.15	Indebtedness of Wage Child Labour Families	23
Table 3.1	Time in the Morning	24
Table 3.2	Work Time in the Evening	24
Table 3.3	Distribution by Working Hours	25
Table 3.4	Major Tasks	26
Table 3.5	Secondary Tasks	26
Table 3.6	Injuries During Work	26
Table 3.7	Mode of Remuneration	27
Table 3.8	Eating Place	27
Table 3.9	Sleeping Place	27
Table 3.10	Annual Supply of Clothing	28
Table 3.11	Reason for Leaving Previous Place of Employment	28
Table 3.12	Reasons for Not Recommending Another Kamaiya Child to Work	28
Table 3.13	Incidence of Worst Forms of Child Labour by Category	30
Table 4.1	Activity Before Entering Bonded Labour	33
Table 4.2	Reasons for Work	33
Table 4.3	Distribution by Duration of Employment	34
Table 4.4	Change of Workplace	34
Table 4.5	Freedom to Leave Job	34
Table 4.6	Loan from Present Master	35

Boxes

Box 1	Chodaki -The Child Kamaiya	25
Box 2	<i>Launda Ke School, Laundi Ke Argani</i>	30
Box 3	In the Name of Liberation (<i>Marto Ka Na Karto</i>)	37

Charts

Chart 1	The Child Labour Problem and the Roles of Stakeholders	41
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Executive Summary

Background

The need to restrict and eradicate the most intolerable forms of child labour in Nepal has become an essential element of a national development strategy to achieve sustainable growth and protect human rights. His Majesty's Government of Nepal has repeatedly expressed its commitment to eliminating the worst forms of child labour, and is in the process of ratifying the International Labour Organization (ILO) Convention 182 on the Worst Forms of Child Labour.

This rapid assessment investigation set out to fill the gaps in knowledge of the incidence and nature of child bonded labour in Nepal. It has attempted to view this worst form of child labour in the wider context of child labour and debt-bondage among one of the largest ethnic groups of Nepal – the Kamaiya households in the far and mid western districts of the country. Child labour is pervasive in Nepal, and it is estimated that 33,000 children work under debt-bondage to pay off parental debts (Sharma, 1999).

Methodology

This study is based on the Rapid Assessment methodology developed by ILO/UNICEF (2000) to bring out an understanding of a particular social phenomenon and its context, usually for the purpose of designing an intervention strategy, in a relatively short period of time. The methodology is a combination of a broad range of qualitative and quantitative survey tools that can be adapted to local conditions. The specific research components implemented in this study were Focus Group Discussions, key informant interviews, observation, and a door-to-door survey of 650 households in nine Village Development Committees of five districts. Additionally, 240 child labourers were interviewed using a semi-structured questionnaire. The field work was undertaken from December 2000 to January 2001 by teams of professional researchers and locally hired enumerators.

What is Kamaiya Bonded Labour?

The Kamaiya system is commonly known as an agriculturally based bonded labour system in Nepal. Bondage among Kamaiya children working for an employer ensues from the debt incurred by the parents and also through the linkage in exploitative employment practices affecting the parents. Poor Kamaiya households either pledge children as collateral for loans, or children are sent to work in landowners' houses to secure Kamaiya contracts or to secure the rights to sharecrop. Children of the Kamaiya are faced with aspects of debt-bondage, bondage resulting from their parents employment, and bondage due to land leasing. The Kamaiyas are obliged to provide underpaid and even unpaid farm labour for excessively long hours, under compulsion of the annual Kamaiya contract. The system can tie families into bondage for generations.

In July 2000 national legislation was passed banning the practice of debt-bondage, however, in the five western Terai districts of Nepal very little has changed and farm labour arrangements continue to affect children. The prevailing three types of bonded child labour relationships under this system are (i) associated with family labour contracted, (ii) children pledged for credit, and (iii) deceived or abandoned children. Child bondage can be detected right from the point of entry into child labour.

Characteristics

In almost all of the Kamaiya households interviewed (557/650) there is a child working for an employer, and in 46% of the cases there is more than one child working for a wage. More than half of the child respondents reported that they started working for their employers or in their own households before their tenth birthday, and two-thirds of the working children sampled are below the age of 14. Four-fifths of the children had never attended school, with girls reporting school attendance less frequently than boys. Access to educational opportunities is highly unlikely given the long hours of work and the lack of interest the employers have in promoting these opportunities.

The average family size of the Kamaiya households supplying child labourers is close to eight members, with both parents living together in almost 90% of the cases. Findings show that the older children tend to be the ones who enter into child labour at the home of an employer, while the younger children are allocated household responsibilities. Close to three-fourths of the child labourers interviewed were the first, second, or third born child in the family. When asked to give a maximum of two reasons that caused them to become child labourers, all the children replied that they lacked adequate food at home, and one-third attributed their situation to household loans. One-fourth stated that because their father is Kamaiya, they have become child labourers in the masters' house.

The results of the interviews show that 72.5% of the families of the child labourers are landless; a much higher incidence than the Kamaiya families who do not have a child working for an employer. The majority of the Kamaiya families who have a child working for an employer are indebted.

Conditions

Children working in the Kamaiya system perform domestic chores, take animals to pasture, collect grass/hay, and participate in other farm activities. Their day can begin as early as 4 a.m. The majority stop work between 5 and 7 p.m. although some children reported working late into the night. Seventy percent of the child labourers work over twelve hours per day. One third of the sampled child labourers reported accidents while at work.

Modes of payment to the child labourers vary between receiving food while at work as well as either food or cash to take home (57.5%), or receiving food only (42.5%). The remuneration of about 25% of child labour is said to be implicitly included in the father's wage or in the output share of share cropped land by the parents. The exploitative arrangements between the employers and the Kamaiya households exacerbate the conditions under which the child labourers are forced to work. These conditions contain elements of the "worst forms of child labour" as defined in ILO Convention 182.

Conclusion and recommendations

There is an excessive incidence of wage child labour among Kamaiya families. Poverty and ensuing inter-linkage of contracts (labour, land, credit, and child labour) are probably the primal causal factors for Kamaiya children to be at work. Low pay, excessive hours of work and lack of opportunity for alternative income force the Kamaiya households to surrender their children for work, even if all they are receiving in return is the food offered at the masters' house. Child labour under the Kamaiya system differs from other forms of child labour in Nepal as it is generally linked to the labour relationships of the child's parents.

Approaches and recommendations to target in order to eliminate the existence of child labourers in the Kamaiya system include **poverty reduction** through income generating activities that target the parents, **awareness and advocacy** that involves parents, employers and policymakers; **education and training** must be made more accessible and relevant; and **legislative measures**, namely child labour laws and regulations, are necessary to discourage child labour use.

Specific areas of importance to the Kamaiya labourers which recommendations must address are the issues of land access and “just labour relationships.” The latter would incorporate minimum wage and working hours to improve conditions, as well as support to the Kamaiya workers to educate them about their rights and provide the support to enforce them.

Recommendations specific to bonded child labourers are focused under the categories of **strategy, policy, labour practices, programme design, and building knowledge**. The findings of this rapid assessment will assist in these areas to improve the lives for Kamaiya child labourers in Nepal who are forced into a life of bonded labour at a young age, and for their families.

1. INTRODUCTION

His Majesty's Government of Nepal is preparing to ratify the Worst Forms of Child Labour Convention (No. 182), 1999, of the International Labour Organization (ILO). This convention, which came into effect on November 19, 2000, calls for the elimination of the worst forms of child labour. Nepal has already ratified various other international conventions, including the UN Convention on the Rights of the Child (CRC) as well as the ILO Minimum Age Convention (No. 138), 1973, which remain international documents of fundamental importance in combating child labour.

The government of Nepal has repeatedly stated its commitment to eliminating the worst forms of child labour. The Ministry of Labour and Transport Management is currently drafting a Master Plan of Action for the elimination of the worst forms of child labour by 2005 and all forms of child labour by 2010.

The ILO and its International Programme on the Elimination of Child Labour (IPEC) have facilitated and supported these positive developments by choosing Nepal as one of the first three countries in which to implement a large-scale Time Bound Programme (TBP) to eliminate the worst forms of child labour. In preparation for this important initiative, five forms of child labour prevalent in Nepal have been tentatively identified as “worst forms.” These are domestic child labour, bonded child labour, ragpicking, child porters and trafficking in girls for commercial sexual exploitation.

1.1 The Problem

Child labour is pervasive in Nepal. Of about 4.7 million children from six to fourteen years old¹, 25.5 percent are economically active, and about 4.4 percent are wage workers. It has been tentatively estimated that 33,000 children work under debt-bondage to pay off parental debts (Sharma, 1999).

Yet, there are gaps in our knowledge of the incidence and nature of child bonded labour in Nepal². Aspects of ‘bonded labour’ and debt-bondage in the *Kamaiya*³ system in Nepal cut across many forms of child labour, and specific categorisation is often complicated. This study will document the extent to which situations of child labour and debt-bondage among *Kamaiya* households in the far and mid western districts of Nepal can be considered as child bonded labour and as a worst forms of child labour.

To date, no large-scale assessment of child bonded labour in a specific area or among a specific segment of the population has been carried out. Unlike other studies, which focus narrowly on bonded labour, this study will attempt to view bonded child labour in the wider context of child labour and debt-bondage among one of the largest ethnic groups of Nepal. The working conditions of all *Kamaiya* children interviewed will thus be discussed first, and special attention will in turn be given to the issue of those in bonded labour in particular.

¹ The data is projected population for 1999. The projection is based on CBS population projection. Child labour related information is derived from CWCD (1997) as used by Sharma (1999) and UNICEF (undated).

² Four Rapid Assessments (on child porters, child domestics, ragpickers and victims of trafficking) complement this study. These have produced new knowledge on how debt-bondage is interrelated with the worst forms of child labour.

³ The *Kamaiya* system in Nepal is generally considered a system of bonded labour, but not all working *Kamaiya* children work as bonded labourers. Please refer to the description of the *Kamaiya* system and child bonded labour in the following paragraphs.

1.1.1 Kamaiya bonded labour in Nepal

The Kamaiya system is commonly known as an agriculturally based bonded labour system. The Kamaiyas are obliged to provide underpaid and even unpaid farm labour for excessively long hours, under compulsion of the annual Kamaiya contract – this can tie families into bondage for generations. 470,000 Tharus make up 37 percent of the population in the five Terai districts of Dang, Banke, Bardiya, Kailali and Kanchanpur. There are about 20,000 Kamaiya households in these five districts.

On July 17, 2000, His Majesty's Government of Nepal (HMG/N) banned the practice of debt-bondage. The Kamaiyas, or the bonded labourers of Nepal, thus became "ex-Kamaiyas." Yet despite national legislation and efforts made by NGOs, government and international agencies, a variety of labour arrangements from freedom to exploitation to outright bondage remain the order of the day in the five western Terai districts of Nepal. Patron-client networks, combined with differentiated access to and control over resources, have resulted in a variety of social mechanisms that entail elements of bondage.

Thus farm labour arrangements continue to affect children directly or indirectly. The children of Kamaiyas are still used as collateral for loans taken by their parents, or are still required to work for the same employers as their parents under exploitative sharecropping arrangements. This report aims to document the incidence and nature of these arrangements.

1.1.2 The incidence of bonded child labour

Nepal's supply of child labour varies by geographical area and ethnic group. The incidence of bonded child labour is suspected to be high in mid- and far-western Terai districts where large numbers of the Tharu population have worked for decades in the exploitative labour arrangements of the Kamaiya system.

An estimated 57,000 children, of five to eighteen years of age, originate from Kamaiya households in the five Terai districts. Children working as Kamaiya labourers may not be directly bonded, but they work in contexts that reflect the economic situation of their families and encompass elements of bonded labour relations. As this report attempts to gauge the elements of child bonded labour faced by working children of the Kamaiya system, it will demonstrate how the work of Kamaiya children can be considered to be among the worst forms of child labour in Nepal.

1.2 Objectives

Balancing impressionistic data gathering and scientific research, the Rapid Assessment methodology developed by ILO and UNICEF is designed to provide in-depth information and knowledge within a short time period.

This study focuses on bonded child labour in the agricultural sector. The target group is bonded child labourers among child labourers in general, within a defined geographical area, and among a section of a specific ethnic group in the rural areas of Nepal.

There is a general lack of data and information to allow for a thorough analysis of the incidence of working children from estimated 20,000 (ex-) Kamaiya households and on whether these children work under bondage. Sharma (1999) estimates that some 12,000

children are working in the Kamaiya system, yet most other studies on the Kamaiyas are silent on the issue of child labour, and devote all attention to the plight of adult male Kamaiyas.

The specific objectives of the present Rapid Assessment were to:

- a. Document the nature, extent and incidence of child labour among the children of the Kamaiya in the five mid and far western Terai districts,
- b. Characterise the child labourers – age, sex, schooling and caste – and document the socio-economic, cultural and family backgrounds of the children of the Kamaiyas,
- c. Characterise the general working conditions of children of the Kamaiyas, with particular reference to elements of debt-bondage,
- d. Examine the root causes for the prevalence of child labour, including the cultural mechanisms and social dynamics relating to the problem of domestic child labour,
- e. Document perceptions and experience from domestic child labourers, and
- f. Test and evaluate the Rapid Assessment Methodology.

1.3 Analytical Framework: ILO Convention No. 182

ILO Convention No. 182 stipulates that any person under the age of eighteen is to be protected from employment in the worst forms of child labour. As per Article 3, the worst forms of child labour include:

- Slavery or practices similar to slavery including debt bondage, sale of children, serfdom, and forced or compulsory recruitment of children for use in armed conflicts,
- The use, procuring, or offering of a child for prostitution or for pornography,
- The use of children for illicit activities – particularly within the drug trade, and
- Work that is likely to endanger the health, safety, or morals of children.

The accompanying Recommendation No. 190 draws attention to such cases where children are exposed to:

- physical, psychological or sexual abuse,
- work underground, under water, at dangerous heights, confined spaces,
- work with dangerous machinery, equipment and tools,
- manual handling or transport of heavy loads,
- an unhealthy environment exposing workers to hazardous substances, agents or processes, or temperatures, noise levels or vibration damaging to health,
- work under difficult circumstances, including long hours, during the night, and
- unreasonable confinement to the employer's premises.

By grouping debt-bondage with practices of slavery, serfdom and forced recruitment, the ILO convention on the worst forms of child labour clearly stipulates bonded child labour as a worst form of child labour.

The ILO convention does not define slavery, forced labour or debt-bondage in detail. However, Nepal is signatory to the Slavery Convention of 1926 and the Supplementary Convention (1956) on the abolition of slavery, the slave trade, and institutions and practices similar to slavery. Nepal has thus assumed the obligations “to take all practical and necessary legislative and other measures to bring about as soon as possible the complete abolition of

institutions and practices relating to slavery and slave trade including debt bondage and serfdom.”

1.4 Child Bonded Labour and the Worst Forms of Child Labour

In a rare study on child bonded labour in Nepal, Sharma (1999) reported a few key characteristics of child labourers working under the Kamaiya system:

- (a) children have no time to spare for schooling or other activities as they work excessive hours;
- (b) their wages are usually appendages to the fathers' wages, and if the wages are paid they are very low;
- (c) if the households (families) have incurred debt, the child is generally bonded until the debt is paid back; and
- (d) children working under Kamaiya system usually become Kamaiyas as adults.

Yet, contrary to common belief, not all Kamaiya children are bonded, nor can all of them be said to work in the worst forms of child labour. According to the spirit of the UN Convention on the Rights of the Child as that of ILO Conventions Nos. 29, 138 and 182, the worst form of domestic child employment exists if:

- (i) the child is sold,
- (ii) is bonded,
- (iii) works without pay,
- (iv) works excessive hours,
- (v) works in isolation or at night,
- (vi) is exposed to grave safety or health hazards,
- (vii) is abused,
- (viii) is at risk of physical violence or sexual harassment and
- (ix) works at a very young age (UNICEF undated).

The presence of any or a combination of these elements would render the work of Kamaiya children one of the *worst forms of child labour in Nepal*. This study will establish how many children of the Kamaiyas are working in such intolerable and inhuman situations.

1.5 Methodology

Rapid Assessment (RA) is a methodology developed by ILO/UNICEF (2000) to bring out an understanding of a particular social phenomenon and its context, usually for the purpose of designing an intervention strategy. The methodology is a combination of a broad range of qualitative and quantitative survey tools that can be adapted to local conditions.

The Rapid Assessment is a sequenced research process, with one set of information generated by a particular research component leading into the next step of the process. The specific research components employed in the present Rapid Assessment of bonded child labour include Focus Group Discussions (FGD), key informant interviews, observation, and a door-to-door survey of 650 households in nine Village Development Committees (VDCs) of five districts. The Rapid Assessment was completed in three months. The fieldwork took place from December 2000 to January 2001.

The survey teams comprised professional researchers and locally hired enumerators. All team members had received a one-week training course in Rapid Assessment and household survey methodologies. In addition, the training had covered ethical issues when doing research with children, as well as methods to win confidence. During the training, tests of the questionnaires and checklists were conducted in order to finalise the survey instruments.

Two complementary surveys were conducted:

- 1) First, Kamaiya households were surveyed to identify the incidence of child labour vis-à-vis schooling and work on family farms. A total of 650 Kamaiya households were surveyed from a total of nine VDCs; one VDC from Banke and two VDCs from each of the four remaining far- and mid-western Terai districts.
- 2) Once child labourers were identified, 240 child labourers working in and around the village sampled were interviewed using a semi-structured questionnaire.

1.5.1 Sampling

Targeting Kamaiya child labourers required the research team to actively identify VDCs in the five far and mid western Terai districts where large proportions of (ex-) Kamaiyas reside. In these VDCs the incidence of bonded child labour was expected to be highest. The researchers selected nine VDCs, from which they identified nine Wards with the most Kamaiya households.

Conducting the household surveys proved relatively easy to promote amongst local community leaders, because of its scientific focus on child labour, thus ensuring their co-operation and support. Of the estimated 19,863 Kamaiya households in the five districts, 650 households were sampled.

The 650 Kamaiya households were visited with a brief structured questionnaire to gather information on the socio-economic condition of children from ages five to eighteen years. In accordance with ILO Convention No. 182, a child was thus defined as a person under the age of eighteen. This step of the survey enabled the researchers to identify child labourers within Kamaiya households.

Under the Kamaiya system, there are two types of child labourers: those who work in or around the village of origin and those who migrate for work. Child labourers who stay in the village are basically employed as domestic servants, animal grazers and child care givers, whereas migrant child labourers are engaged as domestic servants or in other informal service sector jobs in various urban areas of Nepal.

In nine Wards, 650 Kamaiya households were visited. From these, 557 children were working for an employer outside their own household. These children can thus be defined as wage child labourers⁴. Of the wage child labourers, 384 (69 percent) were working in or around the sampled VDCs and 173 (31 percent) were away working in urban or market centres⁵. The

⁴ Irrespective of whether a child working for an employer outside the family context is receiving a salary or not, the child is defined wage child labour since it is sent by its parents or have voluntarily taken up employment for an employer.

⁵ The combined five district distribution is 74 percent in the village and 26 percent outside the village. The apparent difference is due to variation in the incidence by district, and thus different 'weights' for district level estimations.

wage child labourers, who were working in or around their village, comprised the sample for further interviews, in order to identify elements of worst forms of child labour and bonded child labour.

The number of Village Development Committees (VDCs) and estimated Kamaiya households is shown by district in Table 1.1. The table also provides the number of households surveyed as well as the number of child labourers identified and the number of children interviewed.

Table 1.1: Selection of VDCs, Households, and Children Interviewed

District	VDCs	Kamaiya Households	Kamaiya Households Surveyed	Child labourers	Child Labourers Interviewed
Dang	38	2,416	191	182	34
Banke	46	1,342	64	61	18
Bardia	31	6,949	178	167	89
Kailali	42	6,329	113	106	68
Kanchanpur	19	2,827	104	41	31
Total	176	19,863	650	557	240

* Source: District Land Reform Offices/survey data.

1.5.2 Questionnaires

As shown in the table above, a total of 240 wage child labourers (out of the 384 identified) were interviewed using the semi-structured questionnaire.

144 children were therefore left out of the survey. These 144 children were either not available for interview at the time or were denied the chance to participate by their employer. It took between 45 minutes to one hour to complete the questionnaire. Many children were interviewed at night after they had completed their work.

From the wage child labourers questioned, some received a salary and most did not, thus the latter were working away from home without any payment. It was among this sample of 240 children that elements of worst forms of child labour and bonded labour were identified.

1.5.3 Focus Group Discussions

Before the household and child labour surveys, Focus Group Discussions (FGD) were held in the wards selected for the study. The FGD were specifically aimed at social mapping and generating cause and effect information, related to the problem of child labour. The FGDs also provided some general information on the incidence of child labour within each ward.

Ward representatives, schoolteachers, social workers, employers and other knowledgeable persons participated in these FGD. This made the FGD a valuable forum for securing support from local authorities as well as in building rapport and networks within each ward.

Focus Group Discussions were also held with the identified wage child labourers, mainly in the evenings when they were free from work. The discussions proved to be very useful. They gave some indication of the number of working children and provided an opportunity to learn more about their work, workload, and contact with the outside world; as well as the plight of children in the rural areas of Nepal.

1.5.4 Key Informant Interviews

Key informant interviews were conducted in each of the nine wards. These interviews helped deepen an understanding of the root causes and incidence of child labour in the Kamaiya system, as well as working conditions in the respective wards.

The key informants were also asked to provide their opinions on ways and means to humanise and/or eliminate child labour among the Kamaiya. In addition interviews were conducted with ward authorities, which helped to inspire local confidence about the survey and the research team.

1.6 Limitations and Lessons Learned

Despite some reservations as to whether household surveys and questionnaires were sufficient, these proved to be a major part of the overall research process. Based on previous experiences of researching Kamaiya labour, the household survey and child labour survey proved to be a powerful tool in generating reliable data within a short period of time, especially when combined with other Rapid Assessment tools.

A number of lessons can be taken from the experience of conducting this research, some with direct relevance to the Rapid Assessment tools:

- a. **Local Researchers:** The survey was greatly eased by the inclusion of locally hired, gender-balanced field assistants comprising the survey teams. These local team members had a full grasp of the survey localities and were familiar with the households, which helped the survey teams be cordially accepted. Their familiarity with the area inspired confidence in the participants and among the employers of the children.
- b. **Flexible Timing:** Door-to-door Kamaiya household survey work was done in the evenings and nights as the respondents were working for their masters in the daytime.
- c. **Adaptation of the RA Methodology:** In the case of the present study, the relative co-operation of the employers minimised the problem of accessibility to the target group, and therefore the survey placed greater reliance on questionnaire techniques. This confirms the fact that Rapid Assessment methodologies can and should be adapted to the local situation and to the degree of accessibility of research participants.

In addition, this research has highlighted a number of limitations:

- a. **Time Limitations:** Due to limited time, no repeat interaction with the respondents and/or other stakeholders was possible. Had there been more time, it would have been possible to share the draft findings with them and elicit their views.
- b. **High Risk Groups:** Similarly, due to lack of time, the migrant child labourers could not be met, which would have been useful in getting additional information on the conditions and work relationship of the migrant child labourers working outside the Kamaiya system.

2. RESPONDENTS AND THEIR FAMILIES

Two sets of field data are employed for the documentation and analysis of the problem of child labour in (ex-) Kamaiya families.

- The first set was collected from the 650 Kamaiya households on the work status of children from ages five to eighteen. This data allows for the estimation of the incidence of children working for wages in and around villages in the districts where the Kamaiya system prevailed.
- The second set of data was collected from a sample of 240 child labourers identified from the household survey, and who were working in or around the survey village. The data is extensively used to characterise the nature of the child labour, the work relationship, as well as aspects of bondage and worst forms of child labour.

2.1 Working Children in Kamaiya Households

In the first phase of the research, 650 Kamaiya households were surveyed in order to obtain general knowledge of the situation of the household and children in the household. According to data provided by the Ministry of Land Reform Office, the sample of 650 Kamaiya households make up 3.3 percent of a total of 19,863 Kamaiya households in the five mid and far western Terai districts.

Table 2.1: Distribution of Sample Kamaiya Households by District

Characteristics	Dang	Banke	Bardiya	Kailali	Kanchanpur	Total
Kamaiya households by district	2,416 (12%)	1,342 (7%)	6,949 (35%)	6,329 (32%)	2,827 (14%)	19,863 (100%)
Kamaiya households surveyed	191 (29%)	64 (10%)	178 (28%)	113 (17%)	104 (16%)	650 (100%)

Depending on the speed of the research team in identifying Kamaiya households in the selected wards, the number of households surveyed varies from district to district, and does not necessarily reflect the overall distribution of Kamaiya households in the five districts (Table 2.1). Still, the overall composition and size of the sample should allow for an accurate reflection of the situation of Kamaiya households and of the children of the Kamaiyas in the five mid and Far Western Terai districts.

An average of 2.9 children aged five to eighteen were identified in each of the 650 Kamaiya households surveyed. By simple extrapolation, it is possible to estimate that the total number of Kamaiya children in the five mid and Far Western Terai districts amounts to 57,603. Based on the household survey alone, however, it is not possible to explain the substantial variation in the number of children per household in each of the five districts.

Table 2.2: Children Aged 5 to 18 years by District

Characteristics	Dang	Banke	Bardiya	Kailali	Kanchanpur	Total
Children aged 5-18 per household	3.6	2.2	2.9	2.6	2.6	2.9
Children of Kamaiyas aged 5-18 (estimated)	8,698	2,952	20,152	16,455	7,350	57,603

Of the 1,885 children five to eighteen years old identified in the 650 Kamaiya households, some 622 (33 percent) were in school, whereas 709 (37.6 percent) were working in their own households. Some 557⁶ (29.4 percent) were working for an employer outside the household, and this latter group was the basis for the later in-depth survey on the nature and incidence of child labour in general and bonded child labour in particular among the children of the Kamaiyas (Table 2.3).

Table 2.3: Work Status of Children Aged 5 to 18 Years

Characteristics	Dang	Banke	Bardiya	Kailali	Kanchanpur	Total
Percentage of children attending school	32.8	33.8	30.1	28.6	43.6	33
Percentage of children working in own homes	40.6	23.2	37	35.7	41	37.6
Percentage of employed children	26.6	43	32.9	35.7	15.4	29.4

Based on the estimation that there are 57,607 children in the 19,863 Kamaiya households, the estimated number of employed Kamaiya children is 17,152 children, or about thirty percent of all Kamaiya children in the five mid and far western Terai districts. The figure is higher than the estimate provided by Sharma (1999) at about 12,000, but Sharma excludes the working children outside the Kamaiya system, that is, Kamaiya children who migrated for work, in the estimate. Indeed, when this exclusion is taken into account, both the estimates, current and Sharma (1999), are very close.

As stated above, this is the first study of child labour in agriculture within a predefined geographical location and among a specific segment of the population. It is thus not known whether the estimated incidence of child labour among the Kamaiyas (30 percent) is representative of the nation as a whole or whether it is particularly acute for children of the Kamaiyas. Nor is it certain whether the incidence is representative for other segments of the population living in rural areas of the country. Most key informants and authoritative researchers, however, point to the fact that the high incidence of child labour among Kamaiya households is abnormal and reflects the level of social discrimination, poverty and exploitation that the Kamaiyas and their children are facing.

⁶ Because of rounding in percentage, the numbers reported are not exactly what the reported percentage figures in parenthesis imply.

According to the survey data, for almost all of the 650 Kamaiya households surveyed it seems that there is a child of a Kamaiya working for an employer (557/650). Yet, the research data also revealed that in 46 percent of the Kamaiya households surveyed there is more than one child between five and eighteen working for a wage. The Kamaiya household survey revealed that children from 49.4 percent of households work as wage child labourers, which also indicates that almost half of Kamaiya households do not send their children for work⁷.

Table 2.4: Other Wage Work Below 18 Years

	Boys		Girls		Total	
	No.	Perce nt	No.	Perce nt	No.	Perce nt
Other wage work	58	46.0	52	45.6	110	45.8
One	28	48.3	23	44.2	51	46.4
Two	17	29.3	16	30.8	33	30.0
Three	12	20.7	9	17.3	21	19.1
More than three	1	1.7	4	7.7	5	4.5
Total	58	100.0	52	100.0	110	100.0

The household survey based on the 650 Kamaiya households further reveals that some 74.4 percent of the Kamaiya children aged five to eighteen who work for an employer are employed within the villages, whereas 25.6 percent are employed outside the villages. An estimated 12,755 children are thus employed in the sample ward (74 percent), whereas 4,397 are employed outside their villages (26 percent). It was repeatedly reported that the majority of children working outside their villages are employed as domestic child labourers or in the informal service sector in urban areas of Nepal. Indeed, Tharu children from the mid and far western region do make up a large percentage of domestic child labourers in the key urban areas of Nepal. In Kathmandu, fourteen percent of domestic child labourers are Tharus from the region (Sharma et al 2001); in Pokhara, 24 percent of domestic child labourers were of Tharu origin (Sharma, Thakurathi and Sah 1999).

Table 2.5: Children Working Inside and Outside Their Villages

Characteristics	Dang	Banke	Bardiya	Kailali	Kanchanpur	Total
Employed children (estimated)	2,303	1,274	6,520	5,937	1,114	
Percentage of employed children in village	58.2	57.4	71.9	86.8	75.7	74.4
Percentage of employed children outside village	41.8	42.6	28.1	13.2	24.3	25.6

2.2 Child Labourers of the Kamaiyas

In-depth interviews were conducted with 240 five to eighteen-year-old children from Kamaiya families, using a semi-structured questionnaire. These 240 children are 1.4 percent of the total

⁷ We strongly recommend a follow-up study, to determine the factors that cause some families to send their children for work and that help other families keep their children at home.

number of working Kamaiya children in that age group, and 1.9 percent of the Kamaiya children working for an employer within the sample wards.

Table 2.6: Distribution of Wage Child Labour Respondents by District and Gender

District	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Dang	17	13.5	17	14.9	34	14.2
Banke	8	6.3	10	8.8	18	7.5
Bardia	48	38.1	41	36.0	89	37.1
Kailali	33	26.2	35	30.7	68	28.3
Kanchanpur	20	15.9	11	9.6	31	12.9
Total	126	100.0	114	100.0	240	100.0

Fifty percent of the respondents were between ten and fourteen years of age. The research team identified 36 child labourers below the age of ten, which account for fifteen percent of the sample size. Respondents in the fifteen to eighteen year age group only accounted for one third of the sample, indicating how children of the Kamaiya migrate for work outside their VDCs at a relatively young age. Key informants noted that the low proportion of girl child labourers in the fifteen to eighteen year age group could be explained by existing practices of child marriage.

Table 2.7: Distribution of Wage Child Labourers by Age

Age group	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Up to 10 years	14	11.1	22	19.3	36	15.0
11 to 14 years	62	49.2	63	55.3	125	52.1
15 to 18 years	50	39.7	29	25.4	79	32.9
Total	126	100.0	114	100.0	240	100.0

More than half of the respondents reported that they started working for their employers or in their own households before their tenth birthdays. Children of the Kamaiyas enter into the child labour force in early childhood and continue working until they join the adult and/or migrant workforce. Unfortunately, in the course of the Rapid Assessment it was not possible to probe further into how and why the children of the Kamaiyas exit the child labour workforce.

Table 2.8: Starting Age of Work

Age range (years)	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
5 to 10	73	57.9	58	50.9	131	54.6
11 to 14	46	36.5	50	43.9	96	40.0
15 to 18	7	5.6	6	5.3	13	5.4
Total	126	100.0	114	100.0	240	100.0

Four-fifths of the respondents, i.e. the 240 children who worked for an employer, had never attended school, and are thus illiterate or just able to write their names. The proportion of girls reporting any schooling is low, and key informants repeatedly reported that it is quite common that girls in rural settings do not get an equal chance to attend school.

Of those who had attended school, the vast majority had been enrolled in primary education. Only five percent of the child labourers sampled are currently attending schools, and about three percent reported that they have been assured schooling in the next session. These children grow up to become illiterate and uneducated. The literacy rate among Tharus in the five districts is low at twenty percent, and the education status of children indicates a grim prospect in terms of improvement in the future.

Table 2.9: Educational Status

Place	Boys		Girls		Total	
	No.	Perce nt	No.	Perce nt	No.	Perce nt
Illiterate	81	64.3	56	49.1	137	57.1
Just literate	16	12.7	40	35.1	56	23.3
Primary	27	21.4	18	15.8	45	18.8
Lower secondary	2	1.6		-	2	0.8
Total	126	100.0	114	100.0	240	100.0

Unlike some child domestic workers in the urban areas of Nepal, attending school is thus not compatible with the occupation of the children of the Kamaiyas (Sharma et al 2001). In contrast to the proportion of children in domestic work in urban households, hoping that the employer will secure some form of education, key informants report that the children of the Kamaiyas enter the child labour workforce as a result of poverty and deprivation only. These children are unlikely to have access to any educational opportunity given the long hours of work everyday and the attitude of employers.

Table 2.10: Wage Child Labourers Attending School

School Attendance	Boys		Girls		Total	
	No.	Perce nt	No.	Perce nt	No.	Perce nt
Attending	4	3.2	8	7.0	12	5.0
Assurance for schooling	3	2.5	3	2.8	6	2.6

2.3 Family Vulnerability

In the course of the semi-structured interviews with 240 Kamaiya child labourers, information was also gathered with the view to documenting the socio-economic background of families sending children for work. Family vulnerability is often cited by observers as a root cause of child labour, and it has frequently been attempted to gauge family vulnerability in light of such indicators as a fragile family situation (alcoholism, unemployment, abuse, domestic violence), poverty, illness, literacy levels of parents, family size, etc. In the course of the interviews, it was not possible to cover all of these interrelated causes of family vulnerability. Therefore, attention was paid to family size and composition as well as to the seniority of working children in the family.

Compared to the national average family size of 5.6, the size of the families of the respondents is large, with two-thirds reporting a family size of seven or more. Kamaiyas are generally from the Tharu caste group and Tharu households are generally large, averaging seven to eight members. The average family size of Kamaiya households supplying child labourers is close to eight.

Table 2.11: Family Size

Family Size	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Less than 4	4	3.2	1	0.9	5	2.1
4 to 6	39	31.0	30	26.3	69	28.8
7 to 8	40	31.7	37	32.5	77	32.1
More than 8	43	34.1	46	40.4	89	37.1
Total	126	100.0	114	100.0	240	100.0

Almost ninety percent of the respondents reported both parents alive and living together, and eight percent reported father dead and mother alive. Clearly, the child labourers of the Kamaiyas are not in the present occupation because one of their parents has deserted the household or is no longer alive. Key informants noted that it is more plausible to view child labour in the Kamaiya system as a major livelihood strategy for poor and deprived rural households, irrespective of whether a child is sent to work to increase income potential or to pay off parental debts. Based on the survey data alone, however, it is still not possible to gauge whether the families of the working Kamaiya children are poorer and more deprived than the Kamaiya households where children are not working.

Table 2.12: Status of Parents

Status	Father Alive (%)	Father Dead (%)
Mother alive (%)	88	9
Mother dead (%)	2	1

Almost three-fourths of the child labourers interviewed were the first, second, or third born child in the family. It seems that older children are entering the child labour occupation as household responsibilities are increasingly allocated to younger siblings.

Table 2.13: Birth Rank

Seniority	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Eldest Child	45	35.7	25	21.9	70	29.2
2nd Child	35	27.8	32	28.1	67	27.9
3rd Child	15	11.9	18	15.8	33	13.8
4th Child	10	7.9	8	7.0	18	7.5
5th Child	3	2.4	7	6.1	10	4.2
Younger than 5th	18	14.3	24	21.1	42	17.5
Total	126	100.0	114	100.0	240	100.0

2.4 Household Poverty and Survival Strategies

As child labour originated from rural areas, the information on landholding pattern and indebtedness of child labour families was elicited to gauge their economic status and level of poverty. Unfortunately, other indicators such as house, livestock, access to water, etc. were not assessed during the short time allocated for the Rapid Assessment.

Almost three-fourths of child labourers reported that their families are landless. The rest of the families have land, but in the majority of cases, the land is too small to eke out a living. In comparison, of some 20,000 Kamaiya households in the five districts, more than half own land, and the overall incidence of landlessness in rural Nepal is much lower, around fifteen to twenty percent.

The incidence of landlessness is thus much higher among Kamaiya households where children work for an employer. This suggests a link between the landlessness of households and the supply of wage child labour. However, more research is needed.

Table 2.14: Landholding Pattern of Wage Child Labour Families

Landholdings	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Landless	97	77.0	77	67.5	174	72.5
Don't know	1	0.8	3	2.6	4	1.7
Below 0.10 ha	11	8.7	3	2.6	14	5.8
0.10 to 0.20 ha	11	8.7	9	7.9	20	8.3
0.20 to 0.50 ha	5	4.0	7	6.1	12	5.0
Above 0.50 ha	1	0.8	15	13.2	16	6.7
Total	126	100.0	114	100.0	240	100.0

More than half of the 240 Kamaiya families, who had a child working for an employer, are indebted. Of those 127 families indebted, 37 percent are indebted to the child labourers' employer. Sharma (1999) also reports that almost half of all Kamaiya households are indebted to their masters.

The study does not fully explore the linkages of child labour employment and loans taken by Kamaiya families, mostly because the respondents were children themselves, who may not know all details of why they were sent for work. Still, parental loans taken from an employer of the child labourer can help indicate the existence and incidence of debt bondage. The elements of debt bondage will be explored further in the next chapter.

Table 2.15: Indebtedness of Wage Child Labour Families

Indebtedness	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
No loan	37	29.4	38	33.3	75	31.3
Indebted	71	56.3	56	49.1	127	52.9
Don't know	18	14.3	20	17.5	38	15.8
Total	126	100.0	114	100.0	240	100.0
Sources of Loan						
Money lenders/traders	14	19.7	17	30.4	31	24.4
Master	26	36.6	21	37.5	47	37.0
Parents' employer	13	18.3	7	12.5	20	15.7
Bank	4	5.6	6	10.7	10	7.9
Friends/relatives	13	18.3	5	8.9	18	14.2
Others	1	1.4		-	1	0.8
Total	71	100.0	56	100.0	127	100.0

2.5 Child Labour Among the (Ex-) Kamaiyas

As many as 17,000 children of the ex-Kamaiyas work either in or outside the village in which their families reside. With more than thirty percent of the total Kamaiya population aged five to eighteen working away from their households, child labour among the Kamaiyas is an acute problem that demands immediate attention.

Kamaiya children are engaged as wage child labourers at an early age; two-thirds of the working children sampled are below the age of fourteen. Illiteracy is high among these children.

Poverty and other associated manifestations like debt-bondage are the main reasons behind the high child labour rate. Almost two-thirds of households supplying child labour are landless, and from almost half of these households, more than two children are reported working. Clearly, the large family size and landlessness make the families of the working Kamaiya children vulnerable to sending their children for employment as alternative income generating strategies are almost non-existent.

3. WORKING CONDITIONS

The working conditions in the Kamaiya system reflect the conditions of employment in the agricultural sector as a whole. Children are employed to perform domestic chores, and are required to take animals grazing, collect hay/grass, and to occasionally participate in farm activities as well.

3.1 Hours, Tasks and Risks

The respondents reported that for some of them their work-day begins as early as 4:00 a.m. and that they continue working until late at night, with a majority reporting that they stop work between 5:00 to 7:00 p.m.

Table 3.1: Work Time in the Morning

Time	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
4:00 a.m.	8	6.3	3	2.6	11	4.6
5:00 a.m.	19	15.1	16	14.0	35	14.6
6:00 a.m.	60	47.6	62	54.4	122	50.8
7:00 a.m.	29	23.0	30	26.3	59	24.6
8:00 a.m. or later	10	8.0	3	2.7	13	5.5
Total	126	100.0	114	100.0	240	100.0

Table 3.2: Work Time in the Evening

Time	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
4:00 p.m.	8	6.3	2	1.8	10	4.2
5:00 p.m.	21	16.7	14	12.3	35	14.6
6:00 p.m.	43	34.1	44	38.6	87	36.3
7:00 p.m.	38	30.2	30	26.3	68	28.3
8:00 p.m.	13	10.3	16	14.0	29	12.1
9:00 p.m.	2	1.6	7	6.1	9	3.8
10:00 p.m.	1	0.8	1	0.9	2	0.8
Total	26	100.0	114	100.0	240	100.0

Seventy percent of the children of the Kamaiyas work twelve hours or more. If fourteen hours is considered as the cut-off point, then 22 percent of child labourers work fourteen hours or more. Working long hours is the norm in rural parts of Nepal.

Table 3.3: Distribution by Working Hours

1.7 Hours	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
< 12 hours	40	31.7	31	27.2	71	29.6
12 - 14 hours	59	46.8	58	50.9	117	48.8
14 - 16 hours	25	19.8	21	18.4	46	19.2
16 hours and more	2	1.6	4	3.5	6	2.5
Total	126	100.0	114	100.0	240	100.0

Box 1: Chodaki-The Child Kamaiya

Chodaki, 11, has worked as *kamlahari* for the last three years under the master who employs her parents as Kamaiya. The work begins at 6 a.m. and continues until late evening, 8 or 9 p.m., when the kitchen chores are finished. Chodaki cleans kitchen utensils and fetches fodder for goats and cattle. She also plants rice, and harvests and stores crops. Although her parents' home is nearby, she only goes there to sleep.

Chodaki must continue working as long as her parents are under contract as Kamaiya. The family contracts automatically renew every *Maghi*. Her father is in debt to the employer, and cannot change jobs unless the debt, more than four years' salary, is paid. Chodaki earns 2.5 quintals of paddy as an annual wage, while her father collects an annual payment of 14 quintals of paddy. Her mother works as '*bukrahi*' under her husband's contract, but is not paid. She cleans animal sheds, does heavy domestic chores and agricultural work.

Chodaki eats two meals in the master's house, and is given one set of clothes per year. She is illiterate. Her three brothers and sisters do not attend school, and will eventually become child labourers.

The tasks performed by the children of the Kamaiyas are highly gender specific. A majority of girls working inside the household and a vast majority of boys engaged in farm work outside the household. Girls employed as child labour are popularly known as '*kamlahari*'.

Ninety percent (103 of 114 girls) reported that they were working as domestic child labour, looking after children (*ladka khelauna*) or engaged in domestic chores. When reporting on their second major work, however, it is clear that a small proportion of the respondents is also engaged in agricultural work outside the household. Key informants noted that such work is particularly required in the peak farm seasons of planting and harvesting.

Boys are mainly engaged in farm work and/or animal grazing and are popularly known as '*chhegar*' (goat), '*gaibar*' (cattle), and '*bhainsbar*' (buffalo). Of 126 boy child labourers, 95 (75 percent) are employed for animal grazing. Twelve percent of child labourers report farm work as the most important work, and 46 percent reported it as the second most important work. Key informants have noted that boy child labourers are increasingly employed to work as animal grazers and farm labour as they get older.

Table 3.4: Major Tasks

Work	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Domestic chores		-	78	68.4	78	32.5
Childcare	2	1.6	25	21.9	27	11.3
Animal grazing	95	75.4	9	7.9	104	43.3
Farm work	26	20.6	2	1.8	28	11.7
Other	3	2.4	0	-	3	1.3
Total	126	100.0	114	100.0	240	100.0

Table 3.5: Secondary Tasks

Work	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Domestic chores	0	-	35	32.1	35	15.8
Childcare	4	3.5	19	17.4	23	10.4
Animal grazing	36	31.9	19	17.4	55	24.8
Farm work	52	46.0	19	17.4	71	32.0
Other	21	18.6	17	15.6	38	17.1
Total	113	100.0	109	100.0	222	100.0

One third of sampled child labourers reported accidents while at work. Of those reporting accidents, four-fifths reported cuts during work and ten percent reported burns. The incidence of burns is higher among girls, who are often involved in kitchen chores with open stoves.

Table 3.6: Injuries During Work

Injury	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Cut	42	80.8	20	74.1	62	78.5
Burn	2	3.8	6	22.2	8	10.1
Fracture	5	9.6		-	5	6.3
Other	3	5.8	1	3.7	4	5.1
Total	52	41.3	27	23.7	79	32.9
Works when sick or injured	40	76.9	24	88.9	64	81.0

Although it was not possible for the research team to explore further the issue of work-related injuries, from what is known of the treatment meted out to wage child labourers, it is almost certain that they do not receive follow-up treatment and that some of the injuries remain permanent injuries or scar them for life.

3.2 Remuneration

There is a tremendous variation in the mode of payment to child labourers of the Kamaiyas. The variation is akin to the variation in the mode of payment to Kamaiya labourers themselves, where some Kamaiyas are paid cash or crops on an annual basis and others are paid in terms of the output share of the cropped land (Sharma 1998). The incidence of the various modes of remuneration of the children of the Kamaiyas is reported in Table 3.7.

Of those surveyed, 57.5 percent report that they receive food plus either food or cash to take home. Most of these respondents reported their wage to be in the range of two to three quintal of paddy per annum, which amounts to an annual wage of Rs. 1,000 to 2,000⁸.

Table 3.7: Mode of Remuneration

Place	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Included in crop share	25	19.8	24	21.1	49	20.4
Included in fathers' wage	1	0.8	6	5.3	7	2.9
Food plus cash/crop based	82	65.1	56	49.1	138	57.5
Food plus attach with fathers wage		-	3	2.6	3	1.3
Food only	6	4.8	19	16.7	25	10.4
Food and schooling	1	0.8	4	3.5	5	2.1
Schooling only	1	0.8		-	1	0.4
Others	10	7.9	2	1.8	12	5.0
Total	126	100.0	114	100.0	240	100.0

42.5 percent of the respondents do not receive any salary, except for food while working⁹ and/or schooling. In fact, the remuneration of about 25 percent of child labour is said to be implicitly included in the father's wage or in the output share of share cropped land by the parents. This is yet another strong indication of how exploitative labour arrangements affecting (ex-) Kamaiya households directly and indirectly influence the circumstances and conditions in which the children of the Kamaiyas work.

Table 3.8: Eating Place

Place	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Home	25	19.8	25	21.9	50	20.8
Masters' kitchen	101	80.2	89	78.1	190	79.2
Total	126	100.0	114	100.0	240	100.0

Three-fifths of the respondents reported that they commute from home to work. About two-fifths are residential child labour. Only about one-fifth of the residential child labour reported that the quality of bedding is better in the work place than at home.

Table 3.9: Sleeping Place

Place	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Own house	76	60.3	72	63.2	148	61.7
Master's house	50	39.7	42	36.8	92	38.3
Total	126	100.0	114	100.0	240	100.0

⁸ US \$1.00 = NR 74,65 (August 2001)

⁹ Four-fifths of the child labourers take their daily meals in employers' home. About 18 percent of child labourers reported taking different food than normal food prepared in employers' kitchens. Of those reporting, more than half of the child labour reported they subsist on leftover food.

Apart from food and clothing, one of the tacit arrangements in employing child labour in rural areas is the supply of new clothes, which is considered an important component of wage payment along with the regular food. One-fourth of the child labourers interviewed reported that they do not get new clothes; sixty percent reported that they get new clothes once a year.

Table 3.10: Annual Supply of Clothing

Frequency	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
No clothing	54	42.9	6	5.3	60	25.0
Once	65	51.6	77	67.5	142	59.2
Twice	7	5.6	30	26.3	37	15.4
Thrice or more		-	1	0.9	1	0.4
Total	126	100.0	114	100.0	240	100.0
Getting old clothes	41	32.5	46	40.4	87	36.3

3.3 Perceptions of Work

It was difficult to assess the psychological impact of the work and of children's perceptions, yet interesting findings came out by asking two proxy questions. One question attempted to explore why the few respondents that had actually switched employers had decided to do so, and the other asked respondents whether they would recruit another child to do their job.

Not a lot of the child labourers had changed employers. Key informants noted how the only child labourers who could change masters were those on whose behalf little or no loan is taken out by the parents. The respondents who had left reported low remuneration, punishment (physical abuse) at work and 'father switching the employment' as the three major reasons for departure. During the structured questionnaire interviews, a majority of the 240 child labourers also touched upon these matters, even though these children were not able to change jobs. Thus, most respondents were well aware of issues of exploitation and abuse.

Table 3.11: Reason for Leaving Previous Place of Employment

Reason	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Low remuneration	28	40.0	19	38.0	47	39.2
Father left the master	14	20.0	10	20.0	24	20.0
Punishment/harassment	21	30.0	15	30.0	36	30.0
Sacked by master	5	7.1	4	8.0	9	7.5
Others	2	2.9	2	4.0	4	3.3
Total	70	100.0	50	100.0	120	100.0

At the end of questionnaire interviews, the respondents were also asked whether they would recommend another child to work as a child labourer. More than two-thirds said no. The respondents reporting in the negative were then given five options to choose from: (a) isolation, (b) bad treatment, (c) bad food, (d) high workload and (e) others, and the respondents were allowed multiple answers.

None of the respondents mentioned 'isolation' as a reason, most likely because all those interviewed live close to their parents and because their parents were often present. However, 88 percent of the respondents gave 'high work load' as the reason for not recommending any

child for Kamaiya child labour. Three-fourths of the respondents cited 'bad treatment' as the reason. Although it was not possible to probe further into these matters, children and key informants alike commonly reported physical and verbal abuse as 'bad treatment.'

Table 3.12: Reasons for Not Recommending Another Kamaiya Child to Work

Reasons	Boy		Girl		Total	
	No.	Percent	No.	Percent	No.	Percent
Bad treatment	69	75.8	55	76.4	124	76.1
Bad food	9	9.9	9	12.5	18	11.0
High work load	80	87.9	63	87.5	143	87.7
Other reasons	11	12.1	15	20.8	26	16.0
Total*	91	100.0	72	100.0	163	100.0

* Total does not tally due to multiple responses

3.4 Child Labour in the Kamaiya System and the Worst Forms of Child Labour

Based on survey data and the factors that render child labour in the Kamaiya system one of the worst forms of child labour, it is possible to examine on a case-by-case basis the incidence of worst forms of child labour in the Kamaiya system. When comparing the working conditions of children of the Kamaiyas with the standards stipulated in the CRC, ILO Conventions Nos. 29, 105, 138 and 182 as well as in Recommendation No. 190, the following pattern emerges.

- (i) A large share, 43 percent, of the Kamaiya wage child labourers are working without pay. Many are not paid because their parents are engaged in sharecropping contracts, or because the wages of children are implicitly included in parents' wages. For those who are paid, the wages are meagre.
- (ii) Similarly, seventy out of every hundred respondents work excessive hours. A cut off point of twelve hours was fixed, and any child working for more than twelve hours was considered working excess hours. If a cut off point is fixed at fourteen hours, twenty out of every hundred children are working in the worst forms of child labour.
- (iii) Assuming that a normal workday terminates at 8:00 p.m., seventeen of every hundred Kamaiya child labourers work until eight or beyond eight, and well into the night.
- (iv) Fifteen out of a hundred Kamaiya children who work for an employer are below ten years of age. They can, purely on the grounds of their age, let alone working conditions, also be considered as working in the worst forms of child labour.
- (v) Finally, of the respondents, 48 percent were girls. As illustrated in Table 3.13 the situation of girls was consistently worse off than that of boy wage child labourers of the Kamaiyas.

Table 3.13: Incidence of Worst Forms of Child Labour by Category

Conditions	Boys		Girl		Total	
	No.	Perce nt	No.	Perce nt	No.	Perce nt
Work without pay	44	34.9	58	50.9	102	42.5
Work excessive hours	86	68.3	83	72.8	169	70.4
Work at night	16	12.7	24	21.1	40	16.7
Work at very young age	14	11.1	22	19.3	36	15.0
Total sample	126	100.0	114	100.0	240	100.0

The survey data further reveals that but five respondents out of 240 children who work for an employer under the Kamaiya system, were not included in the table above. This means that 98 of the Kamaiya wage child labourers are indeed working in conditions that render their work as worst forms of child labour. It may not be surprising to find that none of the five respondents were girls, and that the field experience revealed that the working conditions of the girl Kamaiya children are worse than those of the Kamaiya boys.

Box 2: *Launda Ke School, Laundi Ke Argani*

Lahani, 12, of Dhodhari VDC, has worked five years as *kamalahari*. She began at age seven as *ladka khelauna* (caretaker of master's children). Her father is Kamaiya and mother is *bukrahi*. Her younger sister is now *ladka khelauna* in the master's house. Yet her three elder brothers attend school.

Lahani asked to go to school with her brothers, but her parents responded, "What is the use of going to school? After two years or so you will get a handsome husband (maybe a Kamaiya) and will have to work as *bukrahi*. We are too poor to afford the cost of education for all our children."

The government liberation of Kamaiya caused many families to send girls, including Lahani's sister into labour. Because the family is landless, they took land on *adhiya/batiya* (share crop basis). The master then asked them to put the younger sister to work. She finally says, "*Launda ke school, Laundi ke argani, ke yo karma janma dekhi chutyako ho ta?*" This translates as: "Send a son to school and a girl for work, is a girl destined for work because it is her fate and assigned from birth?"

In a discussion in which the research data was presented, several key informants noted that it would be dangerous to conclude that Kamaiya children working for an employer can be said to be in the worst forms of child labour on the basis of the information in Table 3.13 alone. As one key informant pointed out, such a conclusion would entail that the Kamaiya children who work for their own families are also working in the worst forms of child labour, not to mention the millions of children working in the rural areas of Nepal.

In the following chapter, the aspects of debt bondage in relation to child labour in the Kamaiya system are explored in order to document the nature and incidence of bonded child labour in

the five mid and Far Western Terai districts. It will thus be possible to qualify whether and how children of Kamaiyas can be said to be in the worst forms of child labour¹⁰.

¹⁰ Whereas ILO Recommendation No. 190 suggests that attention be paid to situations where children work without pay for excessive hours at a very young age, Article 3 of ILO Convention No. 182 clearly stipulates that in cases of slavery or practices of debt bondage there is no doubt that a child is working in the worst forms of child labour. In other words, whereas the ILO Convention does not clearly stipulate that working more than twelve hours a day constitutes the worst forms of child labour, it does say that bonded child labour is a worst form of child labour.

4. ASPECTS OF BONDED CHILD LABOUR

The Kamaiya system is commonly known as the bonded farm labour system of Nepal. However, not all Kamaiyas are necessarily bonded. Differentiated control over resources, general working conditions, and patron-client networks within the Kamaiya system have resulted in a variety of social mechanisms that entail elements of bondage. Similarly, all children working as Kamaiya child labourers may not be directly bonded, but they work in circumstances and under conditions that reflect the precarious situation of their families and the range of different elements that constitute bonded labour relations.

Types of employment relations, and information on whether or not working children are linked with household transactions or contracts, can provide clues to gauge the extent of the problem of bonded child labour. In a rare paper on bonded child labour in Nepal (Sharma 1999), the prevailing three types of bonded child labour relationships in Nepal were identified and characterized:

- a. **Associated with family labour contract:** Children begin to work for the same employer as the other adults in the household, by choice or by compulsion. In rural areas of Nepal, especially in the mid and far-western regions, children are required to work for the same employer under the Kamaiya system of farm labour arrangement, and the employment of children of the Kamaiya system is linked with the parents' annual wage. As debt bondage is a feature of the Kamaiya system, many adult labourers are not free to change employers, and a child working as an appendage to such labour is also not free to choose his or her employer.
- b. **Children pledged for credit:** Poverty and deprivation are common in rural areas of Nepal, where about half of the total population of twenty million live below the poverty line. As many as one-fifth of rural households are landless in some regions. Lack of assets to pledge as collateral compel many poor households in need of credit to pledge their labour, or the labour of their children as collateral for credit. These children work both in rural and urban areas, generally as domestic workers. The wages of such child workers are very low as indebtedness erodes the bargaining power, and the child is forced to work as long as the debt is not repaid. By any standard, such child can also be considered bonded.
- c. **Deceived or abandoned children:** Pushed by deprivation and hardships in the rural areas and attracted by urban glitter and hope for advancement, many children migrate to urban centres and end up working in captivity. The number of street children, ragpickers, and children rescued from carpet or other manufacturing industries reveal that the numbers of such children run in the thousands. In Kathmandu, NGOs engaged in rescue and rehabilitation of children in risk situations have been rescuing five to six hundred children per year.

Although the slavery-like practices of the Kamaiya system have been banned, a variety of exploitative farm labour arrangements persist. Child bondage can be detected right from the point of entry into child labour.

4.1 Entry into Child Labour

Three-fourths of child labourers reported that they were engaged in their own farm or house based activities before joining the occupation. Only about one-tenth attended school before becoming child labourers. As one key informant noted: “Right from the age when they should have joined schools, children from Kamaiya families start training for the child labour force, be it in their own or in the employers' household.”

Only eight percent of girls, compared to fifteen percent of boys, reported that they attended school before starting work. Households attach low priority to the education of girls.

Table 4.1: Activity Before Entering Bonded Labour

Activity	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Schooling	19	15.1	9	7.9	28	11.7
Farm and household	86	68.3	92	80.7	178	74.2
Wage labour	21	16.7	13	11.4	34	14.2
Total	126	100.0	114	100.0	240	100.0

Child labourers were asked to furnish a maximum of two reasons that caused them to become child labourers. Almost all said they lacked adequate food at home, and one-third said household loans were the key reason. One-fourth of child labourers said that because their father is Kamaiya, they have become child labourers in a masters' house.

Table 4.2: Reasons for Work

Reason	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Loan	46	36.5	36	31.6	82	34.2
Food	125	99.2	111	97.4	236	98.3
Kamaiya	38	30.2	22	19.3	60	25.0
Sharecrop land	13	10.3	26	22.8	39	16.3
Others	21	16.7	23	20.2	44	18.3
Total*	126	100.0	114	100.0	240	100.0

* Total does not tally due to multiple responses.

Poverty and ensuing inter-linkage of contracts (labour, land, credit and child labour) are probably the prime causal factors for Kamaiya children to be at work. Low pay, excessive hours of work and lack of opportunity for alternative income force the Kamaiya households to surrender their children for work even with little income or no pay. One of the Kamaiyas during discussion noted that when children go for work, at least they get food in the masters' house.

4.2 Restricted Mobility and Indebtedness

More than two-thirds of the respondents had worked at their current place for one or two years. Almost one-fourth of the child labourers sampled have been in their current workplace for more than two years, indicating a trend that once in the occupation, changing employers is probably not easy. Table 4.4 shows that 75 percent of the respondents work in their first or second job. Girls are even more restricted than boys when it comes to changing employers.

Table 4.3: Distribution by Duration of Employment

Age group	Total	
	No.	Percent
< 12 months	11	4.6
12 to 24 months	166	69.2
> 24 months	63	26.3
Total	240	100

Table 4.4: Change of Workplace

Workplace	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
First	56	44.4	64	56.1	120	50.0
Second	35	27.8	24	21.1	59	24.6
Third	15	11.9	15	13.2	30	12.5
Fourth	12	9.5	9	7.9	21	8.8
Fifth or more	8	6.3	2	1.8	10	4.2
Total	126	100.0	114	100.0	240	100.0

Eighty-two percent of child labourers reported that they were not free to quit the current job. In the follow-up question, only seven percent of the children responded that they could not quit because parents have taken loans. From this information alone, it seems that few situations of outright debt-bondage and child labour occur among the Kamaiyas.

However, another ninety percent of the 197 children who could not quit their job reported that "they have to complete the year." In Nepal, the child labourer is engaged in work every *Maghi*, under an annual contract similar to the Kamaiya adult labourers. Key informants reported that if children are withdrawn from work before the end of the year, the parents are penalised in terms of wage deductions or additional debts. Given the special context of farm labour in Nepal, this information is indeed indicative of how exploitative farm labour arrangements of adults directly affect the work and lives of children.

From Table 4.5 it can thus be inferred that child labour in the Kamaiya system is closely related to exploitative farm labour arrangements and to situations of debt bondage that affect the parents of the wage child labourers.

Table 4.5: Freedom to Leave Job

Freedom	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Not free to leave job	98	77.8	99	86.8	197	82.1
Reasons being not free						
Complete the year	90	91.8	85	85.9	175	88.8
Debt of parents	3	3.1	10	10.1	13	6.6
Attached with father	2	2.0	2	2.0	4	2.0
Parents do not allow	10	10.2	8	8.1	18	9.1
Total*	98	100.0	99	100.0	197	100.0

* Total does not tally due to multiple responses

When child labourers are put to work, parents can incur loans from the employers pledging the child labour as collateral. Twenty-seven percent of child labourers reported that their parents

have incurred loans from their employers¹¹. Generally, child labourers cannot quit the job until this loan is paid off.

Table 4.6: Loan from Present Master

Place	Boys		Girls		Total	
	No.	Percent	No.	Percent	No.	Percent
Yes	34	27.0	31	27.2	65	27.1
No	75	59.5	62	54.4	137	57.1
Don't know	17	13.5	21	18.4	38	15.8
Total	126	100.0	114	100.0	240	100.0
Loan taken:						
Don't know	1	2.9	2	6.5	3	4.6
This year	3	8.8	13	41.9	16	24.6
Previous year	13	38.2	11	35.5	24	36.9
Two years before	6	17.6	3	9.7	9	13.8
More than three years	11	32.4	2	6.5	13	20.0
Total	34	100.0	31	100.0	65	100.0

4.3 Bonded Child Labourers

Bondage among Kamaiya children working for an employer thus ensues from the debt incurred by the parents and also through the linkage with exploitative employment practices affecting the parents. Poor Kamaiya households either pledge children as collateral for loans, or children are sent to work in landowners' houses to secure Kamaiya contracts or to secure the rights to sharecrop.

Thus, children of the Kamaiya are faced with three interrelated aspects of bondage as they enter the child labour market.

- The first is debt-bondage. As an indication of the problem, between 20 to 27 percent of the wage child labourers reported that their parents have taken loan from their employer. Generally, children cannot be withdrawn from work until the loans are fully repaid, and the child works in debt-bondage to pay off parental debts. Seven percent of the Kamaiya wage child labourers reported that they knew they could not quit their job due to loans taken by their parents.
- The second type of bondage is the result of one or both of the parents seeking employment from a landowner. Twenty-five percent of child labourers reported that they work along with their parents for the same employer.
- Third, bondage also ensues with Kamaiya households leasing land from landowners. For continuation of leasing contracts, landowners require the Kamaiya family to supply child labour. The phenomenon of linking land leasing and child labour is reported to be on the increase, especially since the liberation of Kamaiyas in July 2000. Although it was not possible to collect primary or even proxy information on the extent of this new

¹¹ During the structured questionnaire interviews with children, it was found that the child respondents were not fully aware of the level of indebtedness or of the repercussions of their parents' loan on their work. In Table 2.15, for instance, 127 of the 240 wage child labourers reported that their parents were indebted, and that a total of 47 were indebted to their present master. This differs quite substantially with the information given in Table 4.6 above, according to which 65 of the 240 wage child labourer have reported that parents have taken loan from their present master.

phenomenon, key informants noted that the burden of the land lease-child labour linkage seems to be high among Kamaiya girls.

5. CONCLUSIONS

5.1 Conclusions

There is an excessive incidence of wage child labour among Kamaiya families. The incidence is thirty percent compared to an average for rural Nepal of 4.4 percent, as reported by UNICEF (undated).

The child labour problem among children of the Kamaiyas seems mainly due to large family size and landlessness. In an agricultural society, lack of land results in ensuing and deepening poverty. Kamaiya households resort to sending their children to work as one of the key strategies to cope with poverty and/or indebtedness (See Box 2).

Box 3: In the Name of Liberation (*Marto Ka Na Karto*)

Mr. Pancha Ram Tharu, 28, a prominent Kamaiya liberation leader of Padanaha VDC, had been a landless Kamaiya for sixteen years when the government banned the Kamaiya system. The master said, "You can't work now in my house. Please leave my '*bukra*' immediately and search for an alternative." Mr. Tharu was happy to be free, a right he had fought to achieve for a decade. Yet, when Mr. Tharu met leaders at Gulariya they all gave him had the same advice: 'Return to your village and work as before.'

There was no alternative. He returned to the village, lived in a tent, and searched for work. He earned barely enough to feed his family – a wife and six children – just one meal a day. With no land or other assets, he could not secure a loan, so his eldest daughter went to work in a *kauthar* (landlord's house) nearby. He said "*Marto ka na karto*" (when you are dying, do not spare anything). He took all his daughter's annual salary in advance, and a loan of Rs. 1000 from her master. For the survival of the family, he had mortgaged the girl. His freedom forced his child to work eighteen hours a day. Kamaiya bondage is replaced by *kamlahari* bondage. Where is the end of bondage?

5.2 The Issue of Bonded Child Labour

Key aspects of debt bondage feature in many Kamaiya child labour relationships. The problem of bondage, however, is not limited to debt but also extends to family labour employment and land contracts. Children can be considered to be bonded where access to land for Kamaiya households is bound to the supply of child labourers.

In addition, the working conditions of many Kamaiya children contain elements of 'the worst forms of child labour.' Specifically, work without pay, excessive working hours, work at night, and employment at an early age. In addition to aspects of bondage, the prevalence of these elements categorises the work of virtually all wage child labourers of Kamaiya households within 'the worst forms of child labour.'

5.3 Changing Kamaiya Labour Practices

Unlike domestic and other child labour, the employment of Kamaiya children is generally linked to their parents' labour relationships. Within the Kamaiya system a whole family of labourers may be exclusively supplied to a specific landowner (employer), with children also

engaged in the work. However, Nepal's new legislation has created new issues that link access to land and labour supply.

Discussions with adult and child labourers during this Rapid Assessment suggest that these labour issues have acquired a new twist, since national legislation banned the Kamaiya system. As Kamaiyas convert to being 'sharecroppers,' the supply of children for work becomes one of the conditions to safeguard land contracts.

Take the following sequence of events, for example. A landowner has five hectares of land, and four adult Kamaiya labourers bonded to his land. After legislation makes it illegal for him to use bonded labourers he offers each Kamaiya one hectare (and keeps one for himself). The ex-bonded Kamaiya labourer becomes a sharecropper. There are, however, strings attached. Firstly, the Kamaiyas earn no wage from the landowner. Secondly, the landowner requests that each Kamaiya send a child to work as a domestic servant. Of the four children provided, one child stays in his house while the others are sent to work in Kathmandu.

The linkages between adult and child labour supply are being transformed into linkages between land and child labour supply¹².

5.4 Unexamined Bonded Labour Relations

The question of whether or not linked labour contracts, like those within the Kamaiya system, exist elsewhere in Nepal is yet to be explored.

There are more than three hundred thousand adults working as long term farm labourers, under various labour systems, in Nepal. Available information on annual farm labour contracts in other parts of the country suggests that labourers under the *Hali / Haruwa* system resemble the Kamaiya, in terms of interlinked contracts and debt bondage.

It is likely that the bonded situation of adult labourers elsewhere in Nepal also places children in bonded labour relationships.

¹² Suggestions that domestic child labour has increased among Kamaiya families, since their 'liberation,' appear to be supported by the International Labour Organization's Rapid Assessment: The Situation of Domestic Child Labourers in Kathmandu (2001).

6. APPROACHES AND RECOMMENDATIONS

A number of interlinked areas can be highlighted in order to better address the issue of bonded child labour.

6.1 Approaches to Child Labour¹³

Major relevant approaches to child labour are outlined in the following text. These are applicable to child labour in general and bonded child labour in particular.

6.1.1 Poverty Reduction

Poverty is the key reason why parents send their children to work. Children are also pledged as collateral to have access to credit. In poor households, working children contribute to income directly by supplementing household income and indirectly by saving the consumption expenditure. Income Generating Activities (IGA) for poor households, credit facilities, and efforts to enhance the labour earnings of the poor through improvement in skill and augmenting employment opportunities can reduce the need of the poor to depend on income of the children. Macro policies to encourage distributive growth and targeted programmes for poor households are urgently required. Yet, this is a long-term measure to combat child labour. Parents of children currently at work need to be targeted through IGA for immediate respite.

6.1.2 Awareness and Advocacy

Parents, employers, and policymakers need to be included in awareness-related activities. Parents need to be made aware of the human capital loss associated with child labour. Employers need to be made aware of the legal and societal norms against child labour practices. Policymakers need to be sensitised to the urgency of combating child labour. Child focused strategies of development interventions need to be promoted. Government and non-government organizations should promote and undertake activities that contribute to the gradual elimination of child labour. Besides policy advocacy, community and local level (at VDC and district) authorities also need to be targeted for awareness and advocacy. The decentralised activities for local level advocacy being pursued by some of the NGOs need to be expanded to cover the whole country.

6.1.3 Education and Training

School attendance and work are competing activities for poor children. A lack of resources compels many parents to keep their children out of school. Irrelevant curricula and high costs involved in educating children work as further disincentives. Compulsory and free primary education has the potential to help children out of exploitative work. However, school costs need to be reduced, and poor families need to be supported. Similarly, non-formal education and skill training are needed for children who do not attend school. Those already in the labour force can impart relevant skills which prevent exploitation.

¹³ This sub-section is adopted from Sharma (1999).

6.1.4 Legislative Measures

Child labour laws and regulations are necessary to discourage child labour use. Most important is the enforcement of laws, for which a proper mechanism is needed. There is no law in Nepal to handle bonded labour issues. Nepal has not ratified ILO Conventions 29 and 105. This can be taken as an indication of some indifference in government to issues such as bondage and slave-like practices. The government should be encouraged to change its stance. In addition, the government should be assisted in its preparation to ratify the new ILO Convention No. 182.

6.2 Stakeholders¹⁴

Major actors and stakeholders have been identified for activities and interventions to address the elimination of child labour. The identified major actors are: (i) employers, (ii) families, (iii) the state, (iv) INGOs/NGOs, and (v) trade unions. Their respective roles and activities are presented in Chart 1. The roles of international agencies are not specified in the chart, as their role is to assist and facilitate the activities of the five actors.

6.3 Areas of Importance to the Kamaiyas

Considering the overall labour relationships and contexts described earlier, and the stakeholder analysis presented above, there are two key areas of specific importance to Kamaiya labourers which recommendations must address:

- **Access to Land**

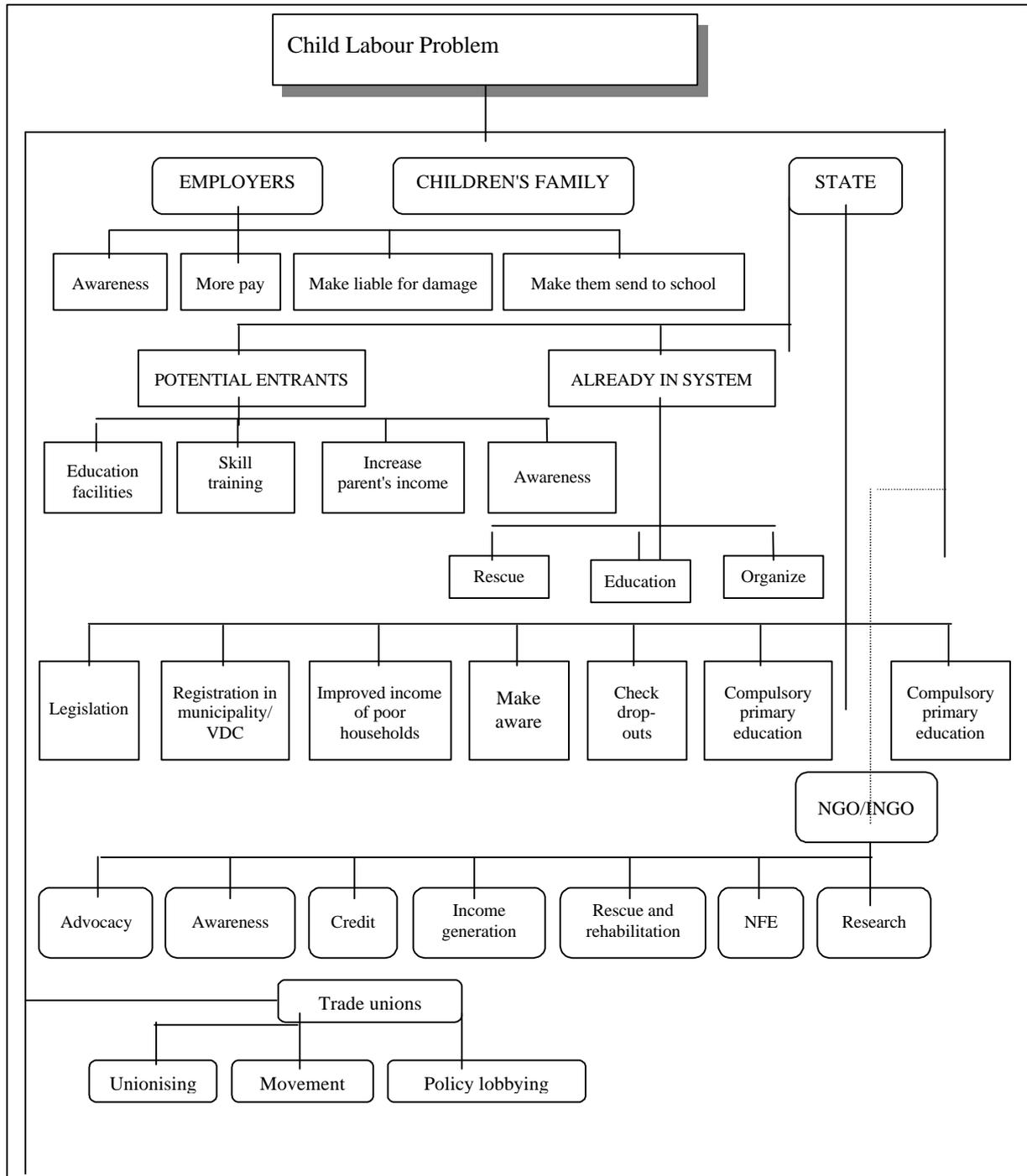
Although the government has promised to redistribute land to ex-Kamaiya labourers, very few Kamaiyas have been issued with the necessary certification to claim land. Barriers to the implementation of new legislation must be addressed. In addition, resettling programmes must acknowledge long term needs and the consequences of resettlement. Land must be productive and should be in a location which offers further opportunities for waged work.

- **Just labour relationships**

Minimum wages and working hours are important for the improvement of labour relationships. The structures for realising 'just labour relationships' need particular attention. This includes strengthening the capacity of Kamaiya workers to demand their new rights and of local government (DDC/VDC) officials to support them.

¹⁴ This sub-section is adopted from Sharma (1999).

Chart 1: Child Labour Problem and the Roles of Stakeholders



6.4 Recommendations Specific to Bonded Child Labourers

The specific recommendations can be listed under five headings:

- Strategy
- Policy
- Labour Practices
- Programme Design
- Building Knowledge

6.4.1 Strategy

- **Coordinated Strategic Approach:** An integrated and coordinated approach by donors can increase the effectiveness of national and district level initiatives to address bonded child labour.

6.4.2 Policy

- **Legislation:** All kinds of bonded labour relations within Nepal, be they Kamaiya, Haliya, Haruwa or others should be banned.
- **Access to land:** Policies to avail access to land are key to improving the economic conditions of poor landless households, including Kamaiyas. Kamaiyas and other landless labourers with similar land and labour relations are extremely disadvantaged, the result of which is a reliance on child labour.
- **Enhanced Legal Framework:** Punitive measures should be attached to child labour abuse. In Nepal the child labour problem will not be solved overnight, given the socio-economic realities. Thus, enhanced regulatory provisions should be brought into force using legal instruments. For example, although legislation outlaws work for children under 16 years of age, working conditions, hours and pay for working children should be regulated.
- **Decentralised Support Structures:** Local government (municipalities and VDCs) should be entrusted with the task of regulating child labour use, supported effectively by administrative and judicial networks.

6.4.3 Labour Practices

- **Unionisation:** Child workers often escape the umbrella of trade unions. Yet, there is much to gain from bringing working children into groups to enable them to seek better bargaining opportunities. Such groupings can be initially formed in urban and organized sectors and gradually expanded into rural areas.
- **Working relationships:** Advocacy activities aimed at 'humanising' child labour relationships have the potential to make employers aware of the rights that children have.

6.4.4 Programme Design

- **Supply:** Income enhancing and advocacy should reach the rural suppliers of child labour programs. Special programmes need to be launched for children prone to enter into labour systems where the available information suggests incidence of bondage, as in the Kamaiya system.

- **Demand:** Simultaneously, demand should also be regulated. The demand for child labourers has been linked to employer perceptions of low wages for their work. The regulation of wage rates and working conditions can help to alter such perceptions, and reduce demand.
- **Flexible Timing:** Programme initiatives must adopt flexible timing in order to accommodate the lifestyle of Kamaiya labourers. For example, running advocacy programmes during daylight working hours can be unproductive.
- **Education:** Special educational programmes for Kamaiya children should be initiated, through such means as accommodating schedules, and developing relevant curricula. Incentives to the parents of participating children must be included. In addition, employers should be encouraged to allow children to attend educational programmes.
- **Girl Child:** Kamaiya girls need special consideration. The Rapid Assessment suggests that the number of Kamaiya girl labourers may well have increased after the Kamaiya 'liberation' in July 2000. Kamaiya employers are changing the Kamaiya contracts into sharecropping arrangements, which often require ex-Kamaiyas to send female children to work as domestic servants. The plight of such girl child labourers needs to be explored.
- **Registration:** A system of registering child labourers at the appropriate local level (municipality or VDC) should be investigated. However in the case of bonded child labour, immediate rescue is required.

6.4.5 *Building Knowledge*

- **Further Research:** Child labour, especially in invisible forms and in rural areas, is not well researched in Nepal. The lack of information means that only visible forms of child labour are concentrated on. The following specific areas of research will enhance the knowledge of child labour and facilitate appropriate programme design.
 - 1) **Ranking Surveys:**
 - Of child labour practices, by the degree of worst forms and estimation of numbers of children involved.
 - Of districts based on the incidence of child labour and the worst forms of child labour.
 - 2) **Further Studies Into:**
 - Impact of economic liberalisation on child labour use.
 - Bonded girl child labour from Kamaiya and Hali/Haruwa families.
 - Self-employed children in rural areas.
 - Child labourers in informal sectors, especially where incidence is highest.
 - Relationships between unemployed adult labourers and children.
 - 3) **National Review** of child labour programmes/interventions and achievements.
- **Resource Centre:** An equipped and endowed child labour resource centre can work as an information and idea bank for all the stakeholders in child labour issues. There is an urgent need for such a centre. The centre may be entrusted to continually research the issue, in order to facilitate informed policy and programme decisions.

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Appendix I:

8. FIELD STUDY TEAM MEMBERS

- NLA Nepal** : Mr. Ganesh G.C
Mr. Bhanu Parajuli
Mr. Kishore Koirala
Mr. Kiran Karki
Ms. Uma Ban
Ms. Saraswati Khanal
Mr. Dhan Bahadur Saud
Mr. Bijendra Basnyat
Ms. Manasa Thakurathi
Dr. Shiva Sharma
- Dang** : Mr. Dhup Narayan Chaudhary
Mr. Salikram Mushafir
Mr. Buddhi Ram Chaudhary
Mr. Rajendra K.C
Ms. Bimal Chaudhary
Mr. Prakash Chaudhary
- Banke** : Mr. Rajaram Tharu
Mr. Shrawan Kumar Tharu
Mr. Karna Badhur Thapa
- Bardiya** : Mr. Govinda Raj Mishra
Ms. Sita Sigdhel
Mr. Ramesh Chapagain
Mr. Ashish Kumar Chaudhary
Ms. Yashodha Bhandari
Mr. Man Bihari Chaudhary
- Kailali** : Mr. Tilak Bahadur Bhattarai
Mr. Dinesh Upadhiya
Ms. Bina Bhattarai
Ms. Gita Upadhaya
Ms. Sarraswati Bam
Mr. Haridwari Chaudhary
Mr. Raj Kumar Chadudhary
- Kanchanpur** : Mr. Prem Bogati
Mr. Keshav Dev Bhattarai
Mr. Umesh Prasad Chadhary
Ms. Durga Rana
Mr. Birendra Aayer
Mr. Dal Bdr. Chand
Mr. Dil Bdr. Aayer

Appendix II:

Questionnaire number

NATIONAL LABOUR ACADEMY/ILO

Situation Assessment of
Bonded Child Labour
in Western Nepal

Child Labour Survey

Identification

SN	Questions	Code
1	Name of District	
2	Name of the VDC	
3	Ward No.	
4	Name of Interviewer	
5	Date of Interview	
6	Sitting for interview (single or multiple sitting)	

Please circle the responses

1.6

I. Origin, Family Description and Reasons for Work

QN	Questions	Response Category & Code
01	What is your name ?	
02	What is your Caste	
03	How old are you?	
04	Sex of the child.	Boy 1 Girl 2
05	Duration of Service in Current Place	Year Month
06	Origin (Home Address)	VDC District
07	What you used to do prior to joining current job?	Attending school 1 Own farm/household work 2 Wage work..... 3 Other (state) 4
08	Why did you come here?	Debt problem 1 Insufficient food..... 2 Linkage with parent contract 3 Family quarrel..... 4 Step mother/father 5 Others (state)..... 6
09	In what age did you start work?	5 to 10 1 11 to 14..... 2 15 to 18..... 3
10	Is it your first place of wage work?	Yes 1 No..... 2
	If not, which place	Second 1 Third..... 2 Forth 3 Fifth or more 4
	Why did you change the last work place?	Low salary/wage 1 Father left the master 2 Punishment/harassment 3 Sacked by master 4 Others (specify) 4
11	Are your parent alive ?	Father dead 1 Father alive 2 Mother dead..... 3 Mother alive..... 4 Father deserted..... 5 Mother deserted 6
12	Family member (exclude married sisters)	
13		
14	Are your other family members of age under 18 are also working for wage work?	Yes 1 No 2
	If yes, how many are working	
15	Main source of income of your family	Agriculture/self 1 Agriculture Wage..... 2 Non agriculture Service..... 3 Non agriculture Wage work..... 4

		Other..... 5
16	Family has own home?	Yes.....1 No.....2
17	Family has farm land?	Yes.....1 No.....2
	If has land ?	Bigha Katha/Ropani Dhur/Aana
18	Are your parents indebted ?	Yes.....1 No.....2 Do not know3
	If yes, from whom they had taken loan	Money lenders.....1 Your Employer2 Their employer3 Bank and institutions.....4 Friends and relatives5 Others.....6
	If yes, how many Rs.	

II.

Type of Work and Work Environment

QN	Questions	Response Category & Code
19	Your first main work	Household chores..... 1 Child cares 2 Sheep/goat herding 3 Cattle herding 4 Buffalo herding 5 Farm activities 6 Wage earner..... 7 Others 8
20	Your second main work	Household chores..... 1 Child cares 2 Sheep/goat herding 3 Cattle herding 4 Buffalo herding 5 Farm activities 6 Wage earner..... 7 Others 8
21	Time you start in morning	
22	Time you finish in the evening	
23	Did you have any injury during work?	Yes..... 1 No..... 2
	If Yes,	Cut..... 1 Burn..... 2 Fracture 3
	You have to work when injury also?	Yes..... 1 No 2
24	Where do you take food?	Master house..... 1 Own house..... 2
	Is there any difference between your and master's food?	Yes..... 1 No 2
	If yes what is the differences?	Differ food..... 1 Remaining/ wastage food 2 Others (specify)..... 3

25	Where do you sleep?	Master house..... 1 Own house..... 2
	If in master house, your bedding	Better than home 1 As home..... 2 Not good as home 3 Other 4

26	How many times a year you get new clothes from master house?	None 1 Once 2 Twice 3 Thrice or more 4
	If yes, What sort of dress you got?	Shirt-pant/skirt-blouse 1 Shirt-pant-slipper/skirt-blouse-slipper 2 Others (specify) 3
	Have you received any old clothes from master house?	Yes 1 No 2
27	How do you get paid?	Fix amount of cash/grain 1 Associate in parent salary 2 Food and 1 3 Food and 2 4 Send to school only 5 Food and school only 6 Food only 7 None 8 Others (specify) 9
	Specify amount for responses 1,2,3,4	
28	Had your parents took loan from your master house?	Yes 1 No 2 Do not know 3
	If yes, since when they took loan?	This year 1 Last year 2 Two year before 3 Three year before 4 Four year before 5 Five year or more 6
	Specify amount	
	Are the employer deducting your paid from loan?	Yes 1 No 2
	If yes, since when your employer is deducting?	This year 1 Last year 2 Two year before 3 Three year before 4 Four year before 5 Five year or more 6
	What is your loan amount now?	
29	Are you satisfied with work load any pay ?	<u>Work</u> Yes 1 No 2 Do not know 3 Salary Yes 1 No 2 Do not know 3
30	What type of work and salary will make you happy ?	<u>Work</u> Ok 1 ¾ of present load 2 ½ of present load 3 do no want to continue work 4 <u>Salary</u> Ok 1

	Increase by 50 percent.....	2
	Increase by 100 percent.....	3
	do no want to continue work	4

III.

Education, Health and Personal Matters

QN	Questions	Response Category & Code
31	Are you literate ?	Yes 1 No 2
	If yes, up to which grade have you studied ?	
32	Do you go to school, now ?	Yes 1 No 2
	If Yes, which grade	
	If Yes, who pays fees and for books ?	Master..... 1 Parents..... 2 None..... 3 Others (state) 4
	Do you get time for study ?	Yes 1 No 2
	Which is your home work time ?	Morning..... 1 Day time 2 Night 3 No time for home work 4
33		
34		
35	Are you better-off here than home ?	Yes 1 No 2
	If yes, please give two main reasons	1. 2.
36	Have you fallen sick?	Yes 1 No 2
	If Yes, type of sickness ?	Caught and cold 1 Fever 2 Chest pain/respiratory problem..... 3 Headache 4 Water borne disease 5 Back pain..... 6 Others (Specify)..... 7
	Have you consulted the healer for medicine?	Yes 1 No 2
	If yes, who pays for medicine ?	Parents..... 1 None 1 Master..... 2 Others (state) 3
	If master pays, he/she deducts from your salary ?	Yes 1 No 2
	Do you have to work when sick also ?	Yes 1 No 2

IV.

Penalty

QN	Questions	Response Category & Code
37	Do you come to work daily?	Yes 1

		No2
	If yes, what does master do when you don't come to work?	Deduct wage/salary 1 Add loan amount.....2 Send substitute.....3 Scolding.....4 Slapping.....5 Beating6 Others (specify)
	If add in loan amount/deduct salary what is the proportion of deduction?	Similar to wage/salary 1 Double of wage/salary.....2 Triple of wage/salary3 Four times or more.....4
38	Have you been ever penalised ?	Yes 1 No2
	If Yes, what type of penalty ?	Scolding..... 1 Slapping..... 2 Beating 3 Deprive from food.....4 Other (state).....5
39	Do you get any leisure time at work?	Yes 1 No2
	What do you do during leisure time?	Play with master children 1 Play in ground.....2 Study3 Go home4 Other (state).....4
40	Can you quit job ?	Yes 1 No2
	If not, why ?	Had to complete the year 1 Parents/Relative have taken debt2 Parents don't allow3 Till parent work4 Others (specify)5
41	Will you work here next year also?	Yes..... 1 No..... 2 Don't know..... 3
	Give two reasons	
42	Have you ever participate in any programs organized by others to develop yourselves?	Yes..... 1 No..... 2
	If yes, on what sort of programs?	Literacy class/child education 1 Education opportunities 2 Skill enhancement trainings 3 Health and nutrition programs.....4 Others (Specify)5
	Has those programs have any impact on your life?	Yes..... 1 No..... 2
	If yes, how	
43	If you got opportunity to change yourselves, what you like to be	
44	What will make you happier if any one want to help you?	
45	Do you suggest any one to do a job like you?	Yes1

		No2
	If yes, why?	It supports the family1 Better food2 Better clothing3 Study4 Others (Specify)5
	If no, why?	No good behave1 No good food2 Heavy work load3 Others (Specify)4

Checklist for Participatory Discussions with community people.

- How do you define a bonded child labor? How s/he becomes a bonded labor?
- What are the positive and motivational features of keeping the bonded child labor?
- Is child labor is the substitute of domestic labor? Please discuss
- Do you believe that keeping of the bonded labor has effect on the nation? Please discuss.
- What sort of works does bonded child labor usually performed? Please list two major form of his/her work.
- What is the rate and pattern of remuneration of bonded child labor? Please list major type of remuneration.

Work performed	Pattern of remuneration	Rate	
		Boys	Girls

- Please recall any good/bad story in relationships between the bonded child labor and his owner?
- Please recall any good/bad story in relationships between the bonded child labor family and his owner?
- How do you assess the education and health situation of the bonded child labor in your village? What are the reasons for it?
- Being a bonded labor, has s/he got any opportunities (program involvement) in the village e.g. education, training, facilities etc?
- What was the impact of those opportunities in his/her life? Can you recall any success and failure story of person due to participation of those programs?
- In your opinion, are the programs implemented for the elimination of bonded labor is effective? If yes, please give reasons?

If no, what are their weaknesses?

- What sort of programs must be designed to reduce the problems of bonded child labor?

Participatory discussion with the children

- Why do you come to work in your master house?
- Who brought you to the master house?
- What sorts of work do you usually performed? Please list two major form of your work.
- What is your rate and pattern of remuneration ? Please list two major type of remuneration.

Work performed	Pattern of remuneration	Rate	
		Boys	Girls

- How do you assess your master and his family support to you and your family? Are you happy with him or not? Please discuss.
- Can you recall any good/bad story in relationships between you and your master?
- Have you received any opportunities from master house or others to develop yourselves? If yes what are they?
- Have those opportunities have any effect on your life? If yes, how
- If you got opportunity to change yourselves, what you like to be?
- What will make you happier if any one want to help you?