

A Brief Report of the Youth Conference of Major Trade Unions in Nepal 9 – 10 November 2012, Kathmandu Nepal

SUMMARY

Three major trade unions (ANTUF, GEFONT and NTUC) in collaboration with ILO/ACTRAV Norway Project organized a national conference of youth workers for drawing attention of all stakeholders on “DECENT YOUTH EMPLOYMENT” in Nepal. Senior leaders of three trade unions – ANTUF, GEFONT and NTUC as well as Joint Secretary of MoLE and ILO/Nepal Director and Senior Workers’ Specialist, ILO DWT/New Delhi expressed their views in a short opening session. There were 77 young workers (28 female) aged 18 – 45 years (list of participants attached in the ANNEX – 1) who participated in the conference organized with the initiation of the Youth Committee Coordinators of the three trade unions. Three working papers – 1. Issues of Youth at Workplace, 2. ILO Standards for Promoting Decent Youth Employment & 3. Analysis of Ratification and Implementation of ILO Conventions in Nepal – were presented by three resource persons in technical sessions in which the young workers interacted and expressed their views, thoughts and comments. In the last day, the participants were divided into three groups for drafting strategies and youth actions for mobilizing youth in Trade Union actions. At the end, the conference adopted a 21 point summary and recommendation for promoting youth employment in Nepal and addressing young workers concerns in the world of work and strengthening capacities of youth organs in Nepalese trade union movement (full text translated in English is given in Conclusion and Recommendation – page 9).



CONFERENCE DETAILS

DAY -1 (9 November 2012)

Inaugural Session:

The inaugural session was chaired by Mr Rajesh Karki, NTUC Youth Committee Coordinator and the session was moderated by Mr Bal Gopal Thapa, GEFONT Youth Committee Coordinator. Welcome speech was delivered by Mr Jagat Simkhada, ANTUF Youth Committee Coordinator.

Presenting the opening remarks in the session, Mr Laxman Basnet, President of NTUC expressed that we should develop our work plans to mobilize/utilize youth in various national development processes and youth employment is one of the priority areas of Nepalese Trade Unions. He also opined that the youth should demand for forming a JTUCC Youth Committee so that the issues of youth can be properly mobilized in TU movement in Nepal.

Expressing his views, Mr Genesh Regmi, General Secretary of ANTUF emphasized on the need of proper utilization of youth for national development through employment and self-employment opportunities. He gave some examples about the initiatives of ANTUF in involving youth employment through cooperatives and urged to increase wages and working conditions to attract youth at work inside the country.

In the opening remarks, Mr Bishnu Rimal, President of GEFONT talked about four pillars of Decent Work and emphasized its importance for decent youth employment as well. He further expressed that Nepal is in a golden age at this juncture as we have a very large segment of youth in the country. He also hoped that the conference would suggest the TU national centres and JTUCC on what they should do for youth in the future.

In the opening remarks, Mr Ariel B. Castro, Senior Workers' Specialist, DWT/New Delhi congratulated the Youth Committees of the three major trade unions, ANTUF, GEFONT and NTUC. He expressed that Freedom of Association and Collective Bargaining are the most important issues for youth as well in Nepal. He thanked Nepalese Trade Unions on their commitment on promoting the ratification and application of fundamental ILO conventions in Nepal. He also expressed himself being hopeful that the unions will keep youth at the core of their actions/activities and movements in Nepal.

ILO/Nepal Director Jose Assalino briefed about the global financial crisis and increasing precarious jobs in informal economy. He stressed on the need of skilled and vocational training/education, on-the-job training for decent youth employment and economic growth. He also expressed the commitment of ILO in providing technical support to its tri-partite constituents in their initiatives of promoting decent youth employment in the country.

Speaking on behalf of the government, Joint Secretary of MOLE Mr Binod KC thanked ILO and organizer trade unions for giving an opportunity to speak in the opening session. He also expressed that there is a mismatch between the education system and the need of labour market in Nepal. He also told that the government is in the final stage of concluding the labour law drafting process which is a key step to promote decent youth employment in Nepal. Mr KC also reiterated the

commitment of Nepal government in ratifying ILO conventions giving example of ratification of 7 out of 8 fundamental conventions in Nepal.

In the end Mr. Rajesh KC, Chairperson of the opening session thanked all speakers on behalf of the three unions and concluded the session.

Introduction of the conference objectives and programme:

After the opening session Mr Narayan P. Bhattarai, NPC of ILO/ACTRAV Norway Project highlighted on the conference objectives and gave an overview of the two days' programme schedule. He shared that the conference has twin objectives, 1. To sensitize youth trade union leaders on decent work concept and 2. To draft action plans for involving youth in trade union movement and ratification and implementation of ILO standards in Nepal. Mr. Bhattarai also gave an overview of the two day's programme schedule that included three technical sessions, two round-table discussions and one group work. A copy of the program is attached in the ANNEX – 2.

1st Technical Session: The issues of youth at workplace in Nepal

Session Chair – Mr Jagat Simkhada, ANTUF Youth Committee Coordinator

Session Moderator – Mr Damodar Sapkota, GEFONT Youth Committee

Presentation – Dr. Rudra Gautam, Associate Professor, Trihuban University, Nepal

Dr. Rudra Gautam, Associate Professor of Economics in Tribhuvan University, Nepal presented a paper on the issues of youth at workplace in Nepal. Dr. Gautam highlighted on youth issues – employment status, migration of youth, youth occupation in sectors of economy, wage & benefits and major problems faced by youth in his paper. Major causes fuelling youth problems in the labour market were quoted as – Unemployment and under-employment, Low/declining level of wages, Education disjointed with job market, Lack of coordination among the stakeholders, Ad-hoc foreign employment, existing youth policy not linked with youth aspirations, low level of unionization among youths & Government inability to attract energetic youths.

Dr. Gautam suggested to – create awareness on formulation of decent youth employment policies, focus on creating synergy through decent and gainful employment, promote market (need)based education system, coordination between/ among workers /unions /employers at workplace. A copy of his PP presentation is attached in the ANNEX – 3.

After his presentation, the floor was open for comments, suggestions and clarifications. The following views/comments/questions were raised:

- ✚ The data used by the presenter were very old (2001 census data)
- ✚ Definition of unemployment not realistic (1 hours' work/week counted as employed)
- ✚ No concrete recommendations were made for promoting youth employment
- ✚ Why only 10% workforce unionized, has the paper presenter discussed this with union leaders?
- ✚ Whether the data of migration includes the migrant workers to India?
- ✚ Youth lack resources or control on resources
- ✚ Our social norms ignore youth view points

After the interaction, Mr Jagat Simkhada summed up the session. The following inferences were drawn up:

- ✚ Opportunities for youth still not enough
- ✚ Nepal faces mismatch in education and labour market demand
- ✚ Practical (vocational and skill) education key to promote decent youth employment
- ✚ Data/information on youth and employment/unemployment is still ambiguous in Nepal

Round Table 1: The issues of youth at workplace in Nepal

After the paper presentation, a round table presentation was made by major trade unions on the issues of youth at workplace.

1. **Mr Baldev Tamang (NTUC):** In the first round, Mr Bal Dev Tamang from NTUC expressed his views and thoughts on the topic. The thoughts raised by Mr Tamang were:
 - ✚ No decent jobs are available inside the country
 - ✚ Policy makers/planners / concerned personalities do not understand youth issues
 - ✚ Trial period is a major hurdle for youth at work
 - ✚ Youth are feared of being fired if they join union (No FOA for youth workers)
 - ✚ Youth are being used/misused by political parties
 - ✚ Provide practical and employable education to youth
 - ✚ Implement a one job policy (no one should have multiple employment)
 - ✚ Ensure youth representation in policy making bodies and programs
 - ✚ Self-employment for youth is a good initiative but political biasness should be abolished and government should implement this through Trade Unions
2. **Mr Bidur Karki (GEFONT):** In the second round, Mr Bidur Karki from GEFONT presented the structures of GEFONT Youth Committee at national and local level. Major issues/concerns expressed by Karki were:
 - ✚ Major concern at present is no jobs inside the nation
 - ✚ The union membership is not increasing despite the growing youth population
 - ✚ Ensure youth access on productive jobs and their representation in all socio-economic forums
 - ✚ Educate youth on Trade Union concept and leadership
 - ✚ Involve, promote and encourage youth in each kind of activities of Trade Unions including leadership positions
3. **Mr Ganesh Regmi (ANTUF):** In the third round, Mr Ganesh Regmi from ANTUF expressed his thoughts as follows:
 - ✚ Youth should play role in bringing changes in the society
 - ✚ Youth are tempted to go abroad just because local jobs do not comprise the concept of decent work
 - ✚ Ratification and implementation of ILO Conventions are key to promote decent youth employment
 - ✚ Out-sourcing of jobs creating precarious employment
 - ✚ Trade Union Youth Committees can be an effective tool in implementing the laws and conventions
 - ✚ Urged all the trade unions in supporting the government's self-employment schemes (also gave examples of ANTUF's involvement in the schemes)

In the interaction Mr Chitra Acharya from CONEP, Mr Bal Gopal Thapa from GEFONT Mr Jagat Simkhada from ANTUF and Mr Devendra Dangol from FENEPT also commented on the paper. They have suggested including youth issues in the paper specially – skill training, fair recruitment process, education reform to match the labour market need and implementation of fair wage policy.

2nd Technical Session: ILO Standards Promoting Decent Youth Employment

Session Chair – Mr Bal Gopal Thapa, GEFONT Youth Committee Coordinator

Session Moderator – Mr Ramesh Rawal, NTUC Youth Committee

Presentation – Mr Ariel B. Castro, Senior Workers' Specialist, ILO/DWT/New Delhi

Mr Ariel B. Castro, Senior Workers' Specialist, ILO/DWT New Delhi made a presentation the second technical session on ILO Standards Promoting Decent Youth Employment. The presentation made by Mr. Castro is attached in Annex – 4. Mr Castro presented on Global economic crisis and its negative impact on youth employment with the fact that there has been 7.8 Million more unemployed youth since the start of the crisis and 13% youth unemployment rate (81 million people unemployed) in the globe. He also presented comparative view of youth unemployment by regions with South Asia having 10.3% in comparison to 14.7% in South East Asia and 8.9 in East Asia. He also discussed on the increase of working poor due to the economic crisis.

In the second part of his presentation Mr Castro discussed on Labour Standards. He explained the distinction between the Core Labour Conventions and Technical and Labour Market Governance Conventions. The eight core ILO Conventions play an important role in making the jobs “DECENT” and are thus play a pivotal role in creating decent youth employment as well. He further highlighted on the process of ratification and application by the member state, their reporting obligations and the role of Trade Unions in monitoring the compliances of the ratified conventions.

In the last part of his presentation, Mr Castro discussed on the ILO's resolution and plan of action on youth employment crisis. The resolution has stressed on the need to give importance on international labour standards, to apply labour laws to all workers and to promote the social dialogue. The future strategies discussed were - Right-based approaches to youth employment, Promoting participation and representation of young people, Raise awareness of members about young workers' rights and actively participate in the implementation of young workers' rights. He summed up the presentation by stressing the need of engaging Youth (YUBA) in awareness campaigns (through workers' education programs, Street plays, Social media, mobilizations) and Building networks and designing and implementing Campaigns.

After the presentation there the floor was open for comments and clarifications. The floor raised some clarifications on recommendation and conventions, and asked the paper presenter to clarify the role of ILO in case of non-compliance of the convention clauses.

In the end, the session chair Mr Bal Gopal Thapa thanked Mr Castro for his important presentation and the session on Day 1 was the concluded.

DAY -2 (10 November 2012)

3rd Technical Session: Overview on Ratification and Implementation of ILO Conventions in Nepal

Session Chair – Mr Rajesh Karki, NTUC Youth Committee

Session Moderator – Mr Jagat Simkhada, ANTUF Youth Committee

Presentation – Mr Uddhav Raj Poudyal, National Consultant, ILO

Mr Poudyal began his presentation by introducing the procedure of adopting ILO conventions, recommendations and their applications by the member states. He also touched upon the obligation of each member state to send reports about the application of each ratified conventions to the ILC. The role of ILO supervisory body CEACR was also discussed in his first part of the presentation.

In the second part Mr Poudyal discussed on the ILO conventions ratified by Nepal in comparison to south Asian states. Nepal has so far ratified seven Fundamental conventions (C29, C98, C100, C105, C111, C138 & C182) out of 8, one Governance convention (C144) out of 4 and three Technical conventions (C14, C131 & C169) out of 177. The comparison shows Nepal lagging behind in ratifying Governance and Technical conventions in South Asia for example Bangladesh, India, Pakistan and Sri Lanka each has ratified 24, 36, 26 & 30 technical conventions whereas Nepal has ratified only 3. Likewise, India has ratified 3 and Bangladesh, Pakistan and Sri Lanka each ratified 2 each of the Governance Conventions whereas Nepal has ratified only one. Complete ratification comparison is given in the ANNEX – 5.

In the third part, Mr Poudyal briefly discussed about the application of the ratified ILO conventions. Nepal government has initiated drafting and implementing the labour laws, trade union laws and child labour eliminating laws which are in line with ratified fundamental ILO Conventions. The government has also amended its social policies and existing laws to ensure the provisions of forced labour conventions. However, the implementation of these laws in the labour sector seems very challenging in Nepal. The lack of government capacity (particularly the labour ministry), mechanism and structures for implementation is a big hurdle for proper application of ratified conventions in Nepal. Mr Poudyal also shared the observations made by the CEACR in 2011 which has asked the Nepal government to report on ILO Conventions 29, 100, 105 and 138.

Open Floor Discussion

The presentation was followed by open floor discussion on the presentation made by Mr Poudyal. Some of the comments and suggestions made by the floor were:

-  Which of the south Asian countries have ratified C87?
-  Are there any disciplinary actions against any member state that do not ratify the conventions and do not implement the provisions properly?
-  The paper did not cover the ratification status in the globe
-  Why only 3 technical conventions ratified by Nepal government?

Mr Poudyal clarified on the queries and the session was adjourned by giving vote of thanks to the presenter by the session Chair Mr Karki.

Round Table 2: Ratification Priorities – Which conventions are the key for decent youth employment in Nepal

The second round table was on convention ratification priorities for Nepal. The representatives of major trade unions made their view-points on this issue which are summed up as follows:

1. **NTUC – Ganesh Niraula:** Mr Niraula spoke on the youth issues, NTUC policies on youth and youth committees and he proposed the conventions 87, 189 and 102 as key conventions for Nepal to ratify in the near future. He also stressed on the need of proper implementation of the provisions of C98 as many workers are being tortured and discriminated just because of their union involvement. For all these, concluding the labour law reform process (it consists revision on labour law, trade union law and as well as formation new laws like social security law, labour commission laws) is first and foremost step to move forward.
2. **GEFONT – Pemba Lama:** Ms Lama made a PP presentation in Nepali language highlighting the initiatives that GEFONT has taken in promoting ratification and application of ILO conventions. She also re-iterated on promoting decent work thus addressing 4 pillars of ILO decent work concept. Apart from C87, she proposed that ILO, government and partner Trade Unions should concentrate on the conventions that protect the rights of women workers particularly – C189, C183, C156, and C177. As the large majority of workforce is in informal sector with vast majority being women, we should focus on raising awareness, organizing and lobby for ratification these conventions in Nepal. She also raised question about the other important conventions like C181, C97 and C143.
3. **ANTUF – Jagat Simkhada:** Mr Simkhada also supported his predecessors in terms of priorities of ratification. He prioritized C87, C189 & C102 as the key conventions for future course of actions in Nepal. In this context Mr Simkhada also highlighted the fact that precarious employment of contract and daily wage earner workers for whom the right to organize is yet a nightmare. He stressed that if C87 is ratified and all workers (including informal economy) come under the purview of the labour law, we can make significant progress. He also informed that the JTUCC is strongly committed to push for concluding the labour law reform process.

The representatives of other unions also expressed their views and solidarity in terms of ratification and promotion campaign. Mr Ganan BK from CONEP expressed that the youth do not lack capacity but they do not get proper responsibility. In terms of ratification, C87 is the first priority for CONEP. Similarly he opined that the C111 and C100 are key conventions to emphasize on application in Nepal.

A number of other colleagues also commented on the roundtable discussion. The common voices from the floor were:

- ✚ Retaining youth inside the country should be the first priority
- ✚ Bringing all unions together on issues is first step
- ✚ What the leaders of the Trade Unions expect from us (youth)?
- ✚ C87 and C102 are major to focus for us
- ✚ Why do we talk about ratification if they are not implemented properly?

At the end the panellists from three unions responded to the questions raised by the group and the session adjourned.

GOUP WORK FOR ACTION PLANNING

In the afternoon, after the lunch break, the participants were divided into three groups for developing action plans in promoting youth and ratification campaigns. The groups were asked to discuss and come up with their views based on the following three questions:

- I. How can the structures (Committees/Departments) of youth be strengthened and mobilized for supporting the TU movement in Nepal?
- II. What will be effective youth strategies and actions in promoting ratification and application of ILO Conventions in Nepal?
- III. What role the Trade Unions can play for promoting “Decent Youth Employment” in Nepal? Give specific examples.

The outcomes of each group are listed below:

Group I: How can structures (committees/Departments) of youth be strengthened and mobilized for supporting the TU movement in Nepal?

1. It is important to have Youth Policies in every Trade Union Confederation
2. Youth Committees should be formed in national and local level
3. Existing Youth Committees should be mobilized and have access of resources
4. Keeping the record of youth/youth-related issues
 - The data/information of youth in the workplaces (male/female)
 - The records of involvement of youth in Trade Union and its activities
 - Records of youth problems
5. Youth need
 - Job guarantee
 - Representation and access in policy making
 - Easy access to education, health and employment
 - Dignity and respect for young workers
 - Decent wages
 - Fixing compulsory retirement age or permanent employees
 - Expansion and availability of Professional and Vocational Training/Education provided by the CTEVT
 - Compulsory Trade Union Education for youth
 - JTUCC must have a youth policy
 - Ratification of ILO convention 87, 189, 102, 193, 177, 143, 156, 181
6. Recommendations
 - Formation of Youth Commission by Nepal Government
 - Establishment of Trade Union Desk at Tribhuvan International Airport
 - Operate Youth Self Employment Programmes through Trade Unions

Group II: What will be effective youth strategies and actions in promoting ratification and application of ILO Conventions in Nepal?

1. Youth involvement in employment
2. Mobilizing young workers in the labour market by organising them under Trade Unions
3. Orient/train youth on their rights
4. Creating skill trainings opportunities
5. Ensure representation / leadership of youth worker in each trade union
6. Access of young workers in leadership positions of political parties
7. Guarantee of representation of youth in different elected bodies of the state
8. Formation of one common youth committee in the central level (JTUCC)
9. Campaigning of information dissemination of ILO conventions in local level
10. Ratification campaigns through lobby and pressure involving organised youth forces
11. Youth mobilization for effective implementation of ratified conventions

Group III: What role the Trade Unions can play for promoting “Decent Youth Employment” in Nepal? Give specific examples

1. Advocate for Social Security Schemes like
 - Welfare fund
 - Education, health
 - Family responsibilities
 - Gratuity
2. Monitor for decent working conditions
 - Workplace environment
 - Physical facilities (drinking water, accommodation and wages)
3. Promoting Social Dialogue through
 - Trade Union Rights/Education
 - Participation in Collective Bargaining
 - Fixing and implementing the minimum wages /salaries and allowances
 - Policy Formulation on Labour Issues/welfare and its effective implementation

CONCLUSION AND RECOMMENDATIONS

After completion of the group presentation, a committee composed of two representatives each of ANTUF, GEFONT and NTUC was formed. The committee drafted Conclusion and Recommendations of the two day's conference and it was presented for adoption. The group suggested including the recommendations made by the last Labour Conference organized by the Government of Nepal and adopted it by clapping hands.

Conclusions and Recommendations

A two-day Conference of young trade union leaders was organized on 9 – 10 November 2012 in Kathmandu with the objective of promoting decent youth employment and mobilising youths in trade union movement in Nepal. The Conference presented papers and discussed on the Issues of youth at workplace in Nepal, ILO Standards promoting decent youth employment and Nepal Government's commitment on promoting and applying these standards in Nepal.

The conference, incorporating the suggestions of young leaders of major trade unions and all participants' common ideas, made following conclusions and recommendations for promoting decent youth employment, in Nepal. The conclusions of the conference will be submitted to related ministries (ministry of labour and employment and ministry of youth) through a memorandum by the Youth Committee coordinators of the three organiser unions.

Recommendation to the Government

1. Creation of decent employment and employment opportunities in the country for the youth who are forced to go abroad for livelihood
2. Ensure active participation of youth in policy development process and work
3. Promotion of employment-oriented vocational/professional education
4. Ratification of Fundamental ILO convention 87 for decent work and other Conventions 102, 189, 183, 97, 143
5. Effective implementation of the provisions of ILO Conventions - 29, 98, 100, 105, 111, 138, 182 - ratified by Nepal government
6. Collection and update of data (sex disaggregated) of unemployed youth
7. Ensure participation of youth by forming a Youth Commission
8. Measures to be taken for effective use of remittances of migrant workers and their skills
9. Initiate labour inspection system for monitoring minimum wages, working conditions and decent work

Recommendations to Trade Unions

10. Trade unions have to organize youth centred programmes at national to local level
11. Immediate formation of youth committee in JTUCC structure
12. Ensure at least 15% youth participation in policy making levels
13. Establish Information Centre and appoint an information officer in each trade union confederation for disseminating the issues of young workers to all concerned stakeholders
14. Ensure at least 40% young women's participation in trade unions
15. Educate/train young workers/leaders about monitoring compliances of ILO standards promoting decent youth employment in Nepal
16. Arrange youth-centred professional/vocational and skill based trainings at local level

Recommendations to Young TU Leaders/Workers

17. Collecting data/information to increase participation of youth in trade union movement
18. Organize youth in unions specially from unorganized and informal sectors where majority of young workers are employed
19. Initiate effective implementation of youth self-employment policies
20. Organize campaigns for Trade union education, labour education and awareness programs for decent work approach
21. Organize different extracurricular activities to exhibit characters and enhance capabilities of youth for mutual cooperation

The two days' youth conference on Decent Youth Employment and ILO Standards concluded successfully. There was an active participation of young workers and we expect active participation

of youth in trade union education, ratification campaigns and decent employment promotion activities in the future.

CLOSING CEREMONY

Following the adoption of conclusion and recommendations, a closing session was organized in which the leaders of three Trade Unions and Senior Workers' Specialist made their remarks. The session was moderated by Mr Narayan Bhattarai, NPC of ILO/ACTRAV Norway Project.

- 1. Mr Baburam Gautam, Vice President of ANTUF:** Mr Gautam in his closing remarks thanked ILO/ACTRAV for its support in organizing this conference. He urged all young trade union leaders to implement the plans and recommendations adopted by the conference.
- 2. Mr Achyut Pandey, General Secretary of NUTC:** Mr Pandey also thanked ILO/ACTRAV for its contribution for making this program a success. He stressed that NTUC is always positive towards promoting youth through its youth structure. He also assured that the NTUC will follow the recommendations made by this conference and involve youth in all its programs in the future.
- 3. Ms Pemba Lama, Acting General Secretary of GEFONT:** Ms Lama recalled the progress made by GEFONT in terms of young women's participation in TU movement. She also expressed that GEFONT will be fully cooperative and committed in implementing the recommendations of made by the conference. At the end, she thanked ILO and all participants for their contributions in the conference.
- 4. Mr Ariel B. Castro, Senior Workers' Specialist, DWT/New Delhi:** Mr Castro thanked all three unions and their Youth Committee Coordinators/members for making this conference a success. He also thanked other participating unions – CONEP, FENEPT and INDECONT for their solidarity. He also assured the working partner unions of ILO/ACTRAV Norway Project for continued support for coming years. He re-iterated for future roadmap of ILO support in two areas – Trade Union Education for Youth & Ratification Campaigns. At the end he thanked all the participants for their patience and efforts for making the conference a success and wished for a "**HAPPY DIPAWALI**" and declared the end of the conference.

ANNEXES

1. List of Participants
2. Programme Schedule
3. PP Presentation on "The issues of youth at workplace in Nepal" by Dr. Rudra Gautam
4. PP Presentation on "ILO Standards promoting youth employment" by Mr Ariel B. Castro
5. PP Presentation on "Overview of ratification and implementation of ILO Conventions in Nepal" by Mr Uddhav Raj Poudyal