

**NEPAL (2018)**
**THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR**
**Protocol of 2014 (P029) to the Forced Labour Convention**

<b>REPORTING</b>	<b>Fulfillment of Government's reporting obligations</b>	Yes.	
	<b>Involvement of Employers' and Workers' organizations in the reporting process</b>	<b>2018 AR:</b> Consultation meetings were held with the following organisations: Joint Trade Union Coordination Centre (JTUCC), Nepal Trade Union Congress (NTUC), General Federation of Nepalese Trade Union (GEFONT), Confederation of Nepalese Professionals (CoNEP), All Nepal Trade Union Federation (ANTUF), Madhesi Trade Union Forum (MTUF), Federation of Nepalese Chamber of Commerce and Industry (FNCCI, Confederation of Nepalese Industries (CNI ), Federation of Nepalese Cottage and Small Industries (FNCSI) and Hotel Association of Nepal (HAN).	
<b>OBSERVATIONS BY THE SOCIAL PARTNERS</b>	<b>Employers' organizations</b>	No.	
	<b>Workers' organizations</b>	No.	
<b>EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL</b>	<b>Ratification</b>	<b>Ratification status</b>	Nepal has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention.
		<b>Ratification intention</b>	<b>2018 AR:</b> The Protocol is likely to be ratified.
	<b>Existence of a policy and / or plan of action for the suppression of forced or compulsory labour</b>	<b>2018 AR:</b> There is a national policy and/or plan of action for the suppression of forced or compulsory labour as well as for combatting trafficking in persons for the purposes of forced or compulsory labour.	
	<b>Measures taken or envisaged for systematic and coordinated action</b>	<b>2018 AR:</b> The following measures have been taken: a) National Human Rights Action Plan, b) National Master Plan for Child Labour Elimination, c) Annual policies and programs of Ministry Land Management, Cooperatives and Poverty Alleviation, d) National Action Plan for anti-human trafficking, and e) National Action Plan on Human Trafficking and Transportation Control.	
	<b>Measures taken or envisaged to prevent forms of forced labour</b>	<b>2018 AR:</b> The following measures have been taken or envisaged: a) Information, education and awareness raising targeting especially people in vulnerable situation and employers; b) Strengthening and broadening of the coverage of legislation, particularly labour law; c) Regulation and supervision of the labour recruitment and placement process; d) Supporting due diligence by the public and private sectors; e) Addressing the root causes that perpetuate forced labour; f) Promotion of safe and regular migration; g) Education/vocational training; h) Capacity building for the competent authorities; i) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations; and j) Basic social security guarantees.	
	<b>Measures taken or envisaged to protect victims of forced labour</b>	<b>2018 AR:</b> The following measures have been taken or envisaged: a) Training of relevant actors for identification of forced labour practices; b) Legal protection of victims; c) Material assistance for victims; d) Medical and psychological assistance for victims; e) Measures for the rehabilitation and social and professional reintegration of victims; f) Protection of privacy and identity; g) Appropriate accommodation; h) Specific measures for children; and i) Specific measures for migrants.	

	<b>Measures taken or envisaged to facilitate access to remedies</b>	<b>2018 AR:</b> The following measures have been taken or envisaged: a) Information and counselling for victims regarding their rights; b) Free legal assistance; c) Cost-free proceedings; d) Access to remedies and compensation; e) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges; f) Provision for authorities not to prosecute victims for acts which they have been compelled to commit; and g) Provision of penalties such as the confiscation of assets and criminal liability of legal persons.	
	<b>Non-prosecution of victims for unlawful acts that they would have been forced to carry out</b>		
	<b>Cooperation with other Member States, international / regional organizations or NGOs</b>	<b>2018 AR:</b> The Government cooperates with other member States as well as with international, regional and non-governmental organizations, especially in the following manners: a) Alliance 8.7, b) Technical Assistance, c) Consultation with social partners/stakeholders, and d) Bilateral Cooperation.	
	<b>Promotional activities</b>		
	<b>Special initiatives/Progress</b>	<b>2018 AR:</b> The Government underlines the following developments: a) Labour Act 2017, b) Labour Rules 2018, c) Children Act 2018, d) Human Trafficking and Transportation Control, and e) Master Plan on Elimination of Child Labour (2018-2028).	
<b>CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL</b>	<b>According to the social partners</b>	<b>Employers' organizations</b>	
		<b>Workers' organizations</b>	
	<b>According to the Government</b>	<b>2018 AR:</b> The following difficulties were identified: a) Lack of awareness; b) Lack of information and data; and c) Challenges linked to the labour recruitment and placement process.	
<b>TECHNICAL COOPERATION NEEDS</b>	<b>Request</b>	<b>2018 AR:</b> The Government requires ILO technical cooperation in the following areas: most important: a) Collection and analysis of data and information; b) Capacity building for the competent authorities; and c) Basic social security guarantees. Important: a) Assessment, in cooperation with the ILO, of the obstacles identified and their impact on the realization of the principle; b) Awareness-raising and mobilization activities; c) Inter-institutional coordination; d) Promotion of fair recruitment and placement practices; e) Promotion of fair migration policies; f) Vocational training, job-creation and income-generation programmes for at-risk populations; g) Capacity building for employers' and workers' organizations; h) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations; i) Exchange of experiences between countries or regions; international cooperation; j) Guidance on the development of the national policy and plan of action; k) Strengthening the legal framework; and l) Guidance on supporting due diligence.	
	<b>Offer</b>		