



International
Labour
Organization

► Report III (Part A)

► Application of International Labour Standards 2026

Report of the Committee
of Experts on the Application
of Conventions and Recommendations

International Labour Conference
114th Session, 2026



Nepal

Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

(ratification: 1996)

Previous comment

The Committee notes the observations of the International Organisation of Employers (IOE), received on 1 September 2025, relating to the discussions held in the Committee on the Application of Standards of the International Labour Conference (the Conference Committee) on the application of the Convention by Nepal. The Committee also notes the observations of the International Trade Union Confederation (ITUC) and the International Trade Union Confederation – Nepal Affiliated Council (ITUC-NAC), received on 1 September 2025, referring to the issues examined by the Committee below.

Follow-up to the conclusions of the Committee on the Application of Standards (International Labour Conference, 113th Session, June 2025)

The Committee notes the [discussion](#) that took place in the Conference Committee in June 2025 concerning the application of the Convention by Nepal, during which the Conference Committee noted with concern the gaps in the protection against anti-union discrimination and the inadequate measures for the full development and utilization of machinery for voluntary collective bargaining. Taking into account the discussion, the Conference Committee urged the Government, in consultation with the social partners, to take effective and time-bound measures to:

1. adopt effective legislative measures to prohibit all acts of anti-union discrimination, including those based on trade union membership;
2. ensure that, in law and in practice, there are dissuasive sanctions in cases of anti-union discrimination;
3. ensure adequate protection against acts of interference as well as the effective functioning of collective bargaining machinery in line with the Convention;
4. ensure that the parties are free to negotiate, at all levels, collective agreements that improve their working conditions;
5. amend the legislation so that compulsory arbitration can only take place in the situations covered by the Convention; and
6. ensure that the selection procedure of the members of the arbitration bodies is transparent and guarantees their full independence.

The Conference Committee requested the Government to avail itself of the technical assistance of the ILO and to report any progress on the measures taken to implement the above recommendations in line with the Convention to this Committee by 1 September 2025.

Article 1 of the Convention. Adequate protection against anti-union discrimination. The Committee previously requested the Government to take the necessary measures to introduce in the legislation an explicit prohibition of all acts of anti-union discrimination as well as effective and sufficiently dissuasive sanctions in case of violations. The Committee welcomes the Government's indication that a tripartite committee has already started working on the revision of the Labour Act, 2017 and that another tripartite task force was established in August 2025 to undertake a comprehensive review and revision of the Trade Union Act, 1993 to address existing legislative gaps relating to protection against anti-union discrimination. The Government adds that it also plans to implement awareness-raising programmes and measures to strengthen enforcement mechanisms and grievance handling systems with technical support from the Office. The Committee notes in this regard that the ITUC and the ITUC-NAC acknowledge the initiatives undertaken but express concern as to a lack of a time-bound commitment to implement them and point to the need for effective remedies, including reinstatement. ***In view of the above, the Committee firmly hopes that the national legislation will be fully aligned with the***

Convention, including through the introduction of an explicit prohibition of all acts of anti-union discrimination (such as transfers, demotions or refusal of training) at all stages of employment (including recruitment), as well as effective and sufficiently dissuasive sanctions in case of violations. The Committee requests the Government to provide information on any progress made in this respect.

The Committee also requested the Government to continue to provide information on anti-union discrimination cases brought before the competent authorities and on awareness-raising activities. The Committee notes the Government's indication that there were no cases of anti-union discrimination registered with the competent authorities during the reporting period but that the Government is committed to systematically collecting information on any future cases of anti-union discrimination and raising workers' awareness about their rights and remedies. The Committee notes the observations of the ITUC and the ITUC-NAC in this regard, pointing to a lack of an accessible and effective complaints mechanism and the need for the Government to establish free legal support services for workers to make the complaint procedure more accessible. **The Committee trusts that the Government will take concrete measures to address these concerns and requests it to provide information on the number and nature of cases of anti-union discrimination dealt with by the competent authorities, the length of the proceedings and their outcome.**

Article 2. Adequate protection against acts of interference. The Committee notes the Government's indication that no formal complaints of acts of interference were submitted during the reporting period but that, in response to the concerns about possible underreporting due to lack of awareness or fear of reprisals, several measures were put in place: different types of awareness-raising programmes were conducted or are planned; a budget was allocated to adopt a code of conduct on the rights and duties of workers and employers; and a digital Integrated Labour Management Information System (ILMIS) was launched to make the registration and recording system of complaints more transparent, accessible and capable of capturing acts of interference. The Committee notes that the ITUC and the ITUC-NAC support these initiatives and consider that an independent mechanism should be established to receive and investigate complaints of interference. **Welcoming the above initiatives, the Committee encourages the Government to continue to provide awareness-raising programmes and to take the necessary measures to ensure that the procedure for the examination of complaints is independent and efficient. The Committee trusts that the online system for reporting and recording complaints of interference will enable the Government to provide information on the number and nature of complaints related to acts of interference dealt with by the competent authorities and their outcome.**

Article 4. Promotion of collective bargaining. Negotiation with trade unions versus negotiation with non-union actors. The Committee notes the Government's indication that preparations are ongoing to hold inclusive elections of trade unions authorized to bargain collectively, that had been postponed due to the COVID-19 pandemic, so as to resume and regularize such elections in a transparent manner, in consultation with the social partners, and allow for bargaining only with such trade unions (as compared with non-union actors). The Government adds that, in the financial year 2024/25, 8 enterprises already held elections, 10 additional unions were certified to bargain collectively and 96 new enterprise-level collective agreements were registered. The Committee notes however the concerns expressed by the ITUC and the ITUC-NAC that the long-standing issue of elections has not yet been fully resolved, leaving many workplaces without a legitimate bargaining agent. **Taking note of the above and in view of the Government's commitment to promote and institutionalize collective bargaining, the Committee expects the elections of trade unions authorized to bargain collectively to be held without delay and to contribute to promoting collective bargaining in the country. The Committee requests the Government to provide information on any progress made in this regard.**

Different levels of collective bargaining. The Committee previously requested the Government to bring section 123 of the Labour Act into full conformity with the Convention to ensure that parties at enterprise level can freely negotiate collective agreements to improve working conditions set in sectoral agreements. The Committee notes the Government's indication that these concerns will be considered

as part of the tripartite review of the Labour Act, which aims to facilitate both sectoral and enterprise-level bargaining, and that directives on collective bargaining are also being developed to promote free and voluntary collective bargaining at all levels. ***Welcoming these initiatives, the Committee trusts that the ongoing labour law reform will bring section 123 of the Labour Act fully in line with the Convention and will contribute to the promotion of free and voluntary collective bargaining at all levels, including by allowing negotiations at enterprise level to improve working conditions already set out in sectoral agreements.***

The Committee also requested the Government to provide information on the number of collective agreements concluded at the sectoral level and the sectors concerned. ***Observing the lack of any information in this regard, the Committee reiterates its request and trusts that, in view of the Government's commitment to promote collective bargaining at all levels, it will be in a position to collect the relevant data and provide information to this effect.***

Compulsory arbitration. The Committee previously requested the Government to ensure that compulsory arbitration could only take place in the situations compatible with the Convention (in public service involving public servants engaged in the administration of the State; in essential services in the strict sense of the term; or in case of acute national crisis). The Committee notes the Government's reiteration that the issue is currently under review by the tripartite task force revising the Labour Act and observes the concerns raised in this regard by the ITUC and the ITUC-NAC that the list of essential services is defined too broadly in the legislation and includes banking and transport sectors. ***In view of the above, the Committee firmly hopes that the ongoing labour law review will result in full compliance with the Convention and requests the Government to provide information in this regard.***

Composition of arbitration bodies. The Committee notes the Government's indication that the development of a new arbitration procedure aims to enhance impartiality, representativeness and alignment with international standards and observes that the ITUC-NAC points to the need to ensure an independent selection process for members of the arbitration bodies. ***The Committee trusts that the arbitration procedure will be developed in consultation with the social partners and will ensure that the members of the arbitration bodies are selected in a transparent manner and act in full independence. The Committee requests the Government to provide information on any progress made in this regard.***

Technical assistance of the Office. The Committee notes the Government's reiterated interest in continuing to receive technical assistance from the Office concerning anti-union discrimination and collective bargaining, as well as the proposal put forward by the ITUC-NAC to adopt a tripartite action plan to conduct awareness-raising activities and trainings. The Committee hopes that such continued assistance will contribute to the full implementation of the Convention in the country, in line with the comments above.

Nepal

Minimum Age Convention, 1973 (No. 138) (ratification: 1997)

Previous comment

Article 1 of the Convention. National policy and application of the Convention in practice. With reference to its previous comments, the Committee notes the Government's detailed information on the measures adopted towards the continued implementation of the National Master Plan Phase II (NMP II) on Child Labour 2018-2028. In particular, it notes: (1) the adoption of a National Children's Policy (2024) and the Children's Regulations (2022); (2) that the Ministry of Labour, Employment and Social Security (MOLESS) conducted workshops in collaboration with civil society organizations to orient local governments on child labour issues; and (3) that the National Statistics Office, in collaboration with the ILO, is conducting a survey on the prevalence of child labour through a new Labour Force Survey. The Government adds that the NMP II is undergoing a progress review and that, based on the recommendations of this review, it will be revised. ***The Committee encourages the Government to continue its efforts to ensure the progressive elimination of child labour. In this regard, it requests the Government to continue to provide information on: (i) the concrete measures taken within the framework of the NMP II and the National Children's Policy (2024), and on the results achieved; (ii) the conclusions of the review of the NMP II; and (iii) the findings of the Labour Force Survey, in particular, updated statistics on the nature, scope and trends of child labour in the country.***

Article 2(1). Scope of application and labour inspection. Children working in the informal economy. The Committee notes the Government's statement that labour inspection mechanisms face limitations due to inadequate resources, lack of sufficient and trained inspectors and insufficient reach into the rural and informal sectors where child labour is most prevalent. Nevertheless, the Government indicates that it is taking steps to strengthen labour inspection mechanisms and enhance formalization of work, including through: (1) the development of a specific procedure for labour inspection in the informal sector, designed to guide labour inspectors in identifying, monitoring and addressing labour law violations, including the presence of child labour, in informal settings such as small workshops, domestic work, agriculture, and street vending; (2) the adoption of the Strategic Action Plan for the elimination of child labour in the agricultural sector, with the technical support of the Food and Agriculture Organization; and (3) the elaboration of the National Action Plan on Formalization, which will aim to bring informal economic activities under the scope of labour laws and social protection frameworks, ensuring better protection of labour rights, including those of children. The Government further indicates that, between 2022 and 2025, the Labour Inspectorate conducted targeted child labour inspections in 10,311 institutions and that it registered 124 complaints relating to child labour, leading to the rescue of 192 children. ***The Committee takes note of the Government's efforts and encourages it to ensure that the labour inspectors have sufficient resources and adequate training on child labour issues in order to improve their capacity to detect cases of child labour. It requests the Government to continue to provide information on: (i) the measures taken, and results achieved, to strengthen the capacities and expand the reach of the Labour Inspectorate services to better monitor children working in the informal economy or on their own account, particularly in the agricultural sector; and (ii) the number and nature of violations relating to the employment of children and young persons detected by the Labour Inspectorate and the penalties imposed.***

Article 3(1) and (2). Minimum age for admission to hazardous work and determination of types of hazardous work. In its previous comments, the Committee noted that: (1) section 3(1) of the Child Labour (Prohibition and Regulation) Act, 2000, prohibits the engagement of children under the age of 16 years in hazardous work; and (2) Schedule 1 of the Child Labour (Prohibition and Regulation) Act, 2000, determines the types of hazardous work prohibited to children under the age of 16 years.

The Committee notes the Government's information that the hazardous work list contained in Schedule 1 of the Child Labour (Prohibition and Regulation) Act, 2000, was amended in May 2024 to include high-risk sectors such as brick kilns and domestic work, with hazards defined by the nature and type of work involved. The Government also specifies that the updated hazardous work list will be incorporated in the new Child Labour (Prohibition and Regulation) Bill, which has been drafted and is currently undergoing the consultation phase. While it takes note of this information, the Committee notes with **regret** that the revision of the hazardous work list did not amend the minimum age for engaging in hazardous work contained in the Child Labour (Prohibition and Regulation) Act, 2000, and its Schedule 1, currently set at 16. The Committee further notes that, while section 7(6) of the Act Relating to Children, 2018, provides that every child under the age of 18 years shall be protected from being exploited economically and from activities that are harmful to their health, physical, mental, moral or social development, section 7(9) states that children under 14 years of age shall not be engaged in hazardous work or employed as domestic workers or *kamalari* (female bonded labour). ***The Committee urges the Government to take all necessary measures to ensure that its legislative framework clearly prohibits the engagement or work of children under 18 years in hazardous work. It requests the Government to provide information on any progress made in this regard and to provide a copy of the new Child Labour (Prohibition and Regulation) Act, in one of the official languages of the ILO, once adopted.***

Article 3(3). Admission to types of hazardous work from the age of 16 years. The Committee notes the Government's indication that the ongoing revision of the Child Labour (Prohibition and Regulation) Act, 2000, will incorporate clear guidelines and safeguards for regulated work involving 16- to 18-year-olds. ***Recalling the provisions under Article 3(3) of the Convention, the Committee urges the Government to take the necessary measures to ensure that children between 16 and 18 years of age may only be permitted to perform hazardous work on the condition that their health, safety and morals are fully protected and that they have received adequate training in that activity.***

The Committee is raising other matters in a request addressed directly to the Government.

Worst Forms of Child Labour Convention, 1999 (No. 182) (ratification: 2002)

Previous comment

Articles 3(a) and 7(2)(a) and (b) of the Convention. Worst forms of child labour and time-bound measures to provide direct assistance for the removal, rehabilitation and social integration of children. Child bonded labour (agricultural-based bonded labour practices and domestic work). With reference to its previous comments, the Committee notes the Government's indication in its report that a Bill for an Integrated Law on Forced Labour, which will regulate the prevention, protection and provision of remedies to victims of bonded labour, has been drafted and is currently under inter-ministerial review. The Committee further takes note of the Government's continued efforts to ensure that child victims of bonded labour receive adequate assistance for their rehabilitation and social integration, including:

(1) the Ministry of Land Management, Cooperatives and Poverty Alleviation (MOLMCPA) is in the process of formulating policies and rehabilitation guidelines for communities most exposed to bonded labour; (2) the MOLMCPA has issued identity cards to facilitate access to services for 15,172 *Mukta Haliya* and *Kamlari* families; (3) the Department of Education allocated resources for the continued educational support of *Kamlari* children, including through residential and non-residential scholarships; (4) the Sudurphaschim Province has formally endorsed guidelines for the rehabilitation of bonded labourers, and similar guidelines are being prepared in the Lumbini Province; (5) the Madhesh Province has prioritized, in its 2023 programme, the identification and verification of, and data collection on, *Haruwa-Charuwa* families; and (6) the Suklaphata Municipality in Kanchanpur District has drafted a procedure for the rehabilitation of *Kamaiya* and *Haliya* families and allocated 50 million Nepalese rupees (approximately US\$350,000 dollars) to build houses for 25 *Haliya* families. It has already supported 11 families with house construction, and provided 75 *Haliya* children with scholarships and educational materials. ***The Committee notes the Government's efforts and encourages it to continue taking measures to ensure that all child victims of bonded labour receive appropriate services for their rehabilitation and social integration, including by ensuring they have access to free basic education. It requests the Government to continue providing information on the measures taken in this regard and on the results achieved.***

Article 3(b). Use, procuring or offering of a child for prostitution. The Committee previously noted, from a report of Alliance 8.7 entitled "Understanding Commercial Sexual Exploitation of Children in Nepal", 2018, that an estimated 13,000 people engaged in the adult entertainment sector started working as children under 18 years of age. The Committee notes that the Government indicates that statistics on this issue are unavailable but that a data system will be developed to monitor and report on the exact number of children engaged in the entertainment industry. The Committee notes the Government's additional information that: (1) the Anti-Human Trafficking Bureau reported 197 rescues for the period 2022 to 2024, including 61 girls rescued from the entertainment sector; (2) according to

data from the Nepal Police, for 2022–23, 2,144 child victims of sexual violence were reported, including 17.1 per cent involving sexual exploitation, and for 2023–2024, 2,376 child victims were reported including 16.6 per cent involving sexual exploitation; and (3) civil society organizations play a key role in the removal, rehabilitation and social integration of child victims. ***The Committee once again requests the Government to take the necessary measures to develop and put in place, as soon as possible, a data system on children engaged in commercial sexual exploitation, including in the entertainment industry, and to provide the statistics collected, once they are available. The Committee also requests the Government to provide more detailed information on: (i) the measures taken to ensure that child victims of prostitution are provided with appropriate assistance to ensure their rehabilitation and social integration, including specific information on the assistance provided to the 61 girls identified in the entertainment sector between 2022 and 2024; (ii) the measures taken to prevent this worst form of child labour; and (iii) the follow-up given to the cases of child sexual exploitation reported to the Nepal Police between 2022 and 2024.***

Clause (d). Hazardous work in brick kilns. With reference to its previous comments, the Committee notes that the list of hazardous work prohibited to children under 16 was updated to include work in brick kilns. It further notes the Government's statement that it has been intensifying its efforts to eliminate child labour in the brick kiln industry by enhancing coordination among relevant sectors, conducting regular inspections (262 inspections were undertaken in brick kilns between 2022 and 2025), and taking prompt action to identify and rescue affected children and ensure they are provided with education and rehabilitation support. The Government adds that in 2023, the ILO supported a non-governmental organization for the implementation of a Child Labour Elimination Programme targeting 20 brick kilns with some of the key achievements being: (1) 17 early childhood development centres were established on kiln premises; (2) education support was provided to 503 children with 128 school-age children enrolled in community schools; and (3) 94 children were identified as being in child labour in brick kilns and were removed from such work.

While taking note of the measures taken by the Government, the Committee recalls that a 2021 report on the employment relationship survey in the brick kiln industry in Nepal exposed that 10 per cent of workers in brick kilns were children (approximately 17,738 child workers), and that labour exploitation was prevalent in this sector. ***The Committee therefore once again urges the Government to redouble its efforts to prevent all children under 18 years of age from working in the brick kiln industry and remove child victims from this worst form of child labour and provide for their rehabilitation and social integration. It also requests the Government to continue to provide information on the number of inspections undertaken in brick kilns and to indicate the number of violations detected with regard to children engaged in hazardous work in this sector and the types of penalties imposed.***

Articles 5, 7(1) and 7(2)(b). Monitoring mechanisms, penalties and direct assistance for child victims of the worst forms of child labour. Trafficking. The Committee welcomes the detailed information provided by the Government, in reply to its previous comments. In particular, it notes that: (1) the Human Trafficking and Transportation Control Act has been amended in line with the Palermo Protocol, clearly defining child trafficking and enhancing victim compensation; (2) a National Action Plan on Human Trafficking (2025–2032) has been drafted; (3) the Anti-Human Trafficking Bureau (AHTB) of the Nepal Police has developed a centralized digital database system to record and manage trafficking cases; (4) between 2022 and 2024, the AHTB provided 685 capacity-building training sessions for police investigators and conducted 35 awareness-raising events and seven coordination meetings; (5) female police officers have been assigned to all 77 districts of the country to follow internal victim identification guidelines and refer survivors to appropriate service providers, including one-stop emergency centres for shelter, legal aid, and medical support; (6) there are five dedicated rehabilitation centres for trafficking survivors currently housing 1,200 children; (7) the Missing Children Service Centres (MCSCs) which operate in partnership with the Nepal Police and provide support and services to child victims of

trafficking and exploitation, continue to be operational, and their expansion is under way, in collaboration with the National Child Rights Council; and 8) the Nepal Police registered 145 cases of child trafficking over the period 2022–24, involving 46 girl victims and leading to 173 arrests. ***The Committee requests the Government to continue its efforts to combat trafficking in children and to rescue child victims of trafficking and rehabilitate and socially integrate them, and to continue to provide information on the measures taken in this regard and the results achieved. It also requests the Government to continue to provide statistical data on the number and nature of offences reported, as well as on investigations, prosecutions, convictions and penal sanctions imposed with regard to the trafficking of children under 18 years of age.***

The Committee is raising other matters in a request addressed directly to the Government.

Direct requests

In addition, requests regarding certain matters are being addressed directly to the following States: **Convention No. 6** (*France: New Caledonia, Lao People's Democratic Republic*); **Convention No. 59** (*Yemen*); **Convention No. 78** (*El Salvador*); **Convention No. 90** (*Mauritania, Mexico*); **Convention No. 124** (*Mexico*); **Convention No. 138** (*Afghanistan, Angola, Argentina, Armenia, Belarus, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brunei Darussalam, Burundi, Cabo Verde, Cambodia, Canada, Chile, Comoros, Congo, Cuba, Denmark: Greenland, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Gambia, Guatemala, Guinea, Guinea-Bissau, Haiti, Japan, Kazakhstan, Kenya, Kyrgyzstan, Liberia, Mauritania, Mauritius, Mexico, Myanmar, Nepal, Nicaragua, North Macedonia, Papua New Guinea, Seychelles, Solomon Islands, Sudan, Syrian Arab Republic, Yemen*); **Convention No. 182** (*Afghanistan, Angola, Argentina, Armenia, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burundi, Cabo Verde, Cambodia, Canada, Central African Republic, Chad, Chile, Comoros, Congo, Cook Islands, Croatia, Cuba, Egypt, El Salvador, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Fiji, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Ireland, Jamaica, Kazakhstan, Kenya, Kiribati, Kyrgyzstan, Lao People's Democratic Republic, Liberia, Malawi, Mali, Mauritania, Mexico, Montenegro, Myanmar, Nepal, Netherlands (Kingdom of the): Aruba, Netherlands (Kingdom of the): Curaçao, Nicaragua, North Macedonia, Norway, Papua New Guinea, Saint Lucia, Solomon Islands, South Sudan, Sudan, Syrian Arab Republic, Turkmenistan, Tuvalu, Vanuatu, Yemen*).