



**FREE THE
SLAVES**

Fact Sheet Modern Slavery in Nepal



Nepal is unfortunately affected in important ways by modern slavery. This Fact Sheet aims to provide insights into the current state of modern slavery in the Nepal, the magnitude of the problem, the factors that contribute to vulnerability, and the efforts made to combat this grave violation of human rights.

Modern slavery refers to the various forms of forced labor, human trafficking, forced marriage, and exploitation that exist in contemporary society.

The magnitude of modern Slavery in Nepal According to the 2023 Global Slavery Index, Nepal ranks 21st in the Asia and Pacific region for prevalence of modern slavery, with an estimated 97,000 people currently trapped in various forms of modern slavery. According to the 2022 National Report on Human Trafficking issued by the National Human Rights Commission, 1.9 million Nepalese are at risk of human trafficking.

Forms of Modern Slavery in Nepal



Adult women and children in Nepal are the most common victims of sexual trafficking. This occurs both within Nepal and abroad, with Nepali women and girls trafficked to India, Malaysia and the middle east. Common places where this sexual exploitation occurs include dancing bars, cabin restaurants, and massage parlors. Sexual trafficking targets both Nepali and foreign consumers.



A widespread form of modern slavery is **child forced labor**. A study from 2021 estimated that 1.1. million children are engaged in some form of child labor. Of these, 87% of cases were reported in the agricultural sector. To make things work, 74% of children working in informal economies were found to work in hazardous conditions. Children are also subjected to the worst forms of child labor, including illicit activities like the production and transportation of drugs.



Forced marriage, including **child forced marriage**, is a commonly observed form of modern slavery in Nepal. In many cases, child forced marriage is also observed in combination with other forms of slavery such as domestic servitude or forced labor in factories.



The exploitation of workers through debt bondage is particularly observed in Nepal in agriculture, brick kilns, stone breaking, and domestic work. Typically, traffickers use debts contracted to cover necessary expenses (e.g. healthcare) to coerce individuals into forced labor in the agricultural sector. Concerningly, debt bonded labor often assumes an inter-generational nature.



Forced labor, including child forced labor, is also widespread. This is especially observed in construction, mining, and manufacturing. Here, people are employed without any contract, are exposed to hazardous conditions without any protective equipment, are employed for long hours, and are paid below the minimum wage. Forced labor is also observed among Nepalis trafficked to India and China.



In the case of women, domestic servitude is commonly observed. This is reported especially abroad, where women are attracted by the promise of higher salaries. However, because of restriction imposed by certain foreign governments, Nepali women often travel through illegal channels and once they reach their destination, they find themselves legally unprotected, unpaid, and deprived of their documents. Domestic servitude counts among its victims also Nepali women who agreed to arranged marriages in China and South Korea.



Organ trafficking is also a form of modern slavery observed in Nepal. Traffickers often lure people from poor communities with fake promises of jobs abroad. Upon accepting, they are transferred to illegal hospitals where they undergo forced operations of organ removal. Organs are then sold by traffickers to people in need of an organ transplant, willing to pay to avoid the waiting list.

Forced criminality is also a form of modern slavery of which children are victim. Specifically, traffickers use children to transport drugs across the Indian-Nepali border. These cases have been reported in news and reports, but they are subject to under-identification.



Factors Contributing to Modern Slavery in Nepal

Typical drivers of vulnerability to modern slavery in Nepal are **poverty**, **lack of access to education** (especially among poor and rural communities), and **caste-based discrimination**. People belonging to **ethnic minorities** are also affected by lower economic opportunities and greater risks of exploitation. Research has also illuminated the role of **climate change** and **natural hazards** (e.g. earthquake) in driving people towards exploitation, as the latter exacerbates **poverty**, **food insecurity**, and **displacement**.

Efforts by the Nepal Government to Combat Modern Slavery

Legislation

1992 Children's Act
2000 Child Labor (Prohibition and Regulation) Act
2002 Bonded Labor (Prohibition) Act
2007 Human Trafficking and Transportation (Control) Act
2009 Domestic Violence (Crimes and Punishment) Act
2014 Sexual Harassment (Prevention) Act
2015 Constitution of Nepal (includes recognition of a right against exploitation)
2017 Labor Act
2017 Civil Crimes Code
2017 Civil Crimes Procedure Code
2018 Crime Victims Protection Act
2018 Children Act

National Action Plan against Trafficking in Person expired in 2021 and **national laws have not been amended to comply with the 2000 UN TIP Protocol**. Additionally, the **difficulty in accessing accurate data** makes it harder to identify and protect victims of trafficking.

Law enforcement

In 2018 Nepal created the Nepal Police Anti-Human Trafficking Bureau (AHTB), a **specialized police unit dedicated to trafficking crimes**.

The Ministry of Women, Children and Senior Citizens and the **National Committee against Human Trafficking** have been designated as the contact bodies for human trafficking issues, while a separate **Human Trafficking and Transportation Control Section** has been established in the Ministry.

However, **most cases of human trafficking are not reported** and among those that are reported many are not addressed in a formal legal proceeding. Reasons for this include fear of reprisal from traffickers, authorities' protection of traffickers, stigma and discrimination towards survivors and their families, victims' failure to recognize the traffickers as such, lengthy judicial processes, and little trust in justice.

In 2020-21, only **39.6 %** of the human trafficking cases registered in the courts were given a final verdict. In 2019-20 and 2020-21, for the cases pending in the Supreme Court regarding fraud in foreign employment, only **30.7 %** cases were closed with final verdict.

Victim support

Survivors are identified and offered **some degree of support**, for instance through shelters. However, there is also evidence that survivors have been **treated as criminals** for their conduct while in control of traffickers.

Findings also suggest that **most victims do not file applications for compensation** either because their cases are still pending, because they do not know how the compensation process works, or because they consider the compensation too meagre. A study on 125 cases of human trafficking filed in 2017 at six district courts (Kathmandu, Kavrepalanchok, Sindhupalchok, Makwanpur, Banke, Kanchanpur) found that only 17% of victims filed applications for compensation.

International Instruments

1930 Forced Labor Convention
1956 Supplementary Slavery Convention
1957 Abolition of Forced Labor Convention
1996 ICCPR
1999 Worst Forms of Child Labor Convention
2000 Protocol to Prevent, Suppress, and Punish Trafficking in Persons



Moreover

Nepal is fully committed to the UN's Common Agenda and the SDGs. It aims to end all forms of violence, abuse, and exploitation as well protect and promote the rights of communities that are at risk of human trafficking, by 2030.

NEPAL IS A PATH-FINDER COUNTRY OF ALLIANCE 8.7

As Nepal achieved several milestones before joining the Alliance 8.7:

- In 2010 for the first time, an annual national household survey was undertaken, which allowed the government to monitor child labour regularly
- In 2012 Nepal launched the new National Plan of Action on Combating Human Trafficking
- In 2017 Nepal passed the Labour Act, which prohibits forced labour and sets penalties for forced labour violations. The government adopted a National Master Plan on Child Labour and the Nepal Road Map on the Implementation of SDGs, which aims to end child labour by 2030. A component of forced labour was included in the regular data collection system.

Priorities of Nepal as a Pathfinder Country

- Ensure **coherence between child labor laws and education laws** when it comes to children's age, in order to have a coherent countrywide legal framework
- Establish **committees for child labour inspection** at the provincial and local levels to complement workplace inspection systems.
- **Enhance monitoring capacity** and establish local committees for **child labour monitoring and removing children from exploitative situations**. Monitoring is critical for policy design, however it is often difficult, particularly in the informal economy.
- Progressively expand the number of **municipalities that are declared child labor free**

- Revise the Foreign Employment Act of 2008, and other related acts, to **eliminate loopholes** that leave room for abuse.
- Establish bilateral agreements with destination countries to formalize a **shared responsibility for labour recruitment** issues and to protect migrant workers.
- Mainstream forced labour and human trafficking into **regular data collection and integrate databases** for an informed policy response.
- Establish **labour committees** and ensure their functioning needs.
- **Map and constantly monitor highrisk groups** to identify where interventions are most needed.
- Promote **economic empowerment** to reduce families' vulnerabilities to forced labour and human trafficking.
- Create **decent jobs** in the country and **strengthen employment promotion centres**.
- Increase children's **access to quality education** and strengthen **vocational education** to counter vulnerability due to low skills and lack of access to education.

Concluding Thoughts



Despite progress, challenges remain in combating modern slavery in Nepal. Most prominent among them are the failure to criminalize all forms of labor trafficking and sex trafficking, the failure to finalize long-pending legal amendments, limitations in the capacity to identify and protect male victims of trafficking and transnational victims of trafficking.



Sustained efforts are therefore needed to **strengthen legal frameworks, improve reporting mechanisms**, and improve victim support mechanisms. Moreover, fighting slavery requires addressing adequately those factors that lead to conditions of vulnerability, such as caste discrimination and gaps in the education system. Combating modern slavery ultimately requires a comprehensive approach involving government action, civil society engagement, and international cooperation to protect the rights and dignity of all individuals.

This Fact Sheet was jointly produced by:

