Congratulations
Rt. Hon’ble President!

Nepal gets Constitution, New President
Workers and Constitution: Brief Discourse

Agenda and Efforts

Form the first Constitution Assembly (CA) the Nepali trade union movement had raised its agendas under four categories – Rights, Protection, Commission and Representation. Which can be briefly summarised as follows,

- Right to employment, Unemployment allowance to those who are unemployed, Right to fair labour practice for every worker, Right to wage and social security, Right to operate trade union and involve in trade union activities, Right to collective bargaining and Right to strike as Fundamental Rights
- Guarantee of universal social security along with equal right to health and education for all citizens, old age pension, maternity protection, disability allowances and survival benefits upon the death of breadwinner.
- Formation of Labour commission as constitutional body under tripartite agreement for building decent, credible and effective labour relation.
- And, 10% representation of workers in all people’s representatives bodies of the state and ensure equal representation of trade union in every state mechanism which has representations from employers organisation.
These agendas were publicised among the general workers as a campaign distributing various publicity materials. During the first CA tenure these agendas were discussed either in CA by the members of trade union background or at people level during collection of feedback. On the other hand, different delegates representing trade union handed over memo to officials of CA and leaders of major political parties. During the process of finalising the first draft of constitution trade union delegation handed over memorandum on May 8 and May 17 of 2012 to leaders of major political parties. When the first CA abruptly dissolved on May 28, 2012 Nepali trade unions and political parties held a dialogue on November 12, 2012 in the City Hall to reach a political solution where trade unions raised these agendas as well.

After finalising the first draft of the constitution the trade union movement focused on comparing the provisions of workers' rights enshrined in interim constitution and draft constitution; launched an awareness raising programme among the workers. On August 27, 2014, trade unions handed over suggestions drafted to the Chairperson of Political dialogue and consensus committee of CA. Appeals were made to stakeholders to incorporate the workers agendas included in first draft – word by word in the constitution and add the unaddressed agendas of the workers too. Trade unions organised an interaction inviting Chief Whips of major political parties and Chairperson of drafting Committee and handed over suggestions appealing to include these agendas in the constitution.

The agenda missed in the draft were articulated in amendment’s format of the CA and mobilised workers and trade union activists to hand over it to CA members in all 240 constituencies when the CA allocated time to get feedback from people on the draft. Likewise, trade union submitted workers’ feedback at institutional level to People’s opinion collection committee. Apart from this, every possible effort was made to reach out to influential CA members and political party leaders and handover workers feedback.

**Achievements and Gaps**

The Constitution of Nepal promulgated on September 20, 2015 included provisions addressing demands of the trade unions as a result of these efforts.

- Every worker shall have right to fair labour practice
- Every worker shall have the right to fair wage, benefits and social security based on contributory fund
- Every worker shall right under the law to operate trade union, involve in trade union activities and collective bargaining

Above mentioned three points, as fundamental rights are the most important agenda among all; which ensure the rights conferred by ILO Convention 87 and 98. For the first time in the history of Nepal, the preamble of its constitution commits to end class-based discrimination and build socialist society based in economic equality, prosperity and social justice.

The constitutional system prohibits the state to discriminate on any grounds. For the first time “worker” is included in the list of groups which has to be protected by the state and which will have special provision under law for strengthening and development. Constitution has provision of equal pay as well as social security for equal value of work and ends the gender-based discrimination. The clause prohibiting the press from publication demeaning the labour is more a constitutional belief on labour rather than restricting freedom of press.

Under the fundamental rights people cannot be sold, bought, kept as slave or bonded labour and made to work forcefully; the constitution makes any actions contradicting the provision liable to penalty and provides compensation for the victim as Right against exploitation. As per the international standard clause prohibiting child labour is included in Child rights. The fundamental right of workers also include rights of Dalit. Likewise, right to choose of employment and unemployment allowance as provided by federal state law is included in right to employment.

Under Article- 35 of the constitution, every citizen shall have right to free basic healthcare facility and no one shall be denied the emergency health service, safe drinking water and cleanliness and
hygiene. Apart from access to basic education, the constitution provides for social security as per the law.

This way among the agenda of workers divided in four categories, labour- rights and right to social security are basically ensured. This means Nepali trade union movement is successful to institutionalise some of its agenda. But, the other two– provision of constitutional labour commission and 10% representation of workers in people’s representative bodies of state are laps in the constitution.

Query and Comparison

Several international practices exist regarding the constitutional rights of workers- what they are and what they should be. ILO definition of decent work considering gender as a cross-cutting issue and mentions “employment and right at work, achieve basic social security and promote social dialogue” as four strategic objectives. From the perspective of decent work the four pillars of decent work are provided in the constitution.

The South African Constitution, which is latest among the internationally popular, based on its “Bills of Rights”, which includes 27 clauses. It endorses all as workers’ rights. The new constitution of Nepal from Article 16 to 45 including 31 fundamental rights¹ are no less than South Africa’s Bills of Rights, it provides some more rather.

Many fear whether the constitution has rights as provided by interim constitution. Comparing both documents, the new constitution has added few more agenda of workers in the provisions by interim constitution. The new constitution has Directive principle of the State, which characterises the country as the welfare state, building pro-socialist economic system ending economic disparity with involvement of public, cooperative and private sector in development.

For the first time the constitution includes the policy of labour and employment as state policy. The policy of labour and employment in six points include concept of decent work, fair labour relation between worker and employer, encourage to invest revenue generated from foreign employment in productive sector.

In comparison, along with these positive aspects there are some negative aspects without answering the queries. The most obscure issue is the definition of worker. As much as the provisions are clear without the definition of the worker, the definition including the term “worker and labourer” makes these provisions unclear.

Like the worker – peasants’ commission included in the group of commissions provided by interim constitution the new constitution provides, under article 259, commissions beginning from Khas–Arya and ending with economically backward group; the term worker in this list fails to carry even the spirit of the labour commission provided by interim constitution. This means if the law does not carry the demand for labour relation commission forward, it will be impossible to implement the labour inspection system demanded by the trade union movement. And, the concept of Economic and Social Multi Stakeholder Committee, to settle unwanted conflicts and labour disputes from the parliament, to hold discussion on the trade union issues with stakeholders cannot move forward.

From the trade union perspective this constitution has not touched upon the agenda of representation of workers in elected state bodies. The agenda was proposed with the objective to develop trade union as a common structure of political parties and recognise labour as a constituency under the constitution. Thus, the issue of representation is, an on-going agenda, which is now likely to be raised as agenda within the political party.

¹ For the context these 31 rights are– Right to dignified life/ Right to freedom (from Freedom of expression to Freedom of opening political party and assemble without carrying arms)/ Right to equality/ Right to Communication/ Justice related right/ Right of victim of criminal offence/ Right against torture/ Right against House arrest/ Right against discrimination and untouchabiltiy/ Right to property/ Freedom of religion/ Right to information/ Right to privacy/ Right against exploitation/ Right to clean environment/ Right to education/Right to language and culture/ Right to employment/ Right to Labour/ Right related to health/ Right to food/ Right to shelter/ Women’s right/ Children’s right. Dalit’s right/ Senior citizens’ right/ Right to social security/ Consumers’ right/ right against deportation/ and Right to constitutional remedy.
Kathmandu - Meeting of the National Delegate Council of the General Federation of Nepalese Trade Unions (GEFONT) concluded in Kathmandu. The meeting analysed reports after the National Convention, finalized the work plan for upcoming years and approved the five-point proposals on contemporary issues.

Prime Minister and Chairperson of CPN (UML) Rt. Hon. KP Sharma Oli inaugurated the programme. During the inaugural speech Prime Minister Oli reminded that since the constitution was promulgated through democratic process it has not violated rights of any section and community of people. He also highlighted that the new constitution is in favour of labour, farmers and working class and it will be effectively implemented.

In the inaugural programme immediate Speaker of the Constitutional Assembly Mr. Subash Chandra Nembang stressed that rejecting constitution after its promulgation does not have any relevance. He also shared that the propaganda about the rejection of the new constitution by indigenous people, Madheshis and women groups was not true.

In the welcome speech GEFONT President Mr. Bishnu Rimal congratulated all the leaders who were able to promulgate the new constitution. He also informed that in this success almost all neighbours of Nepal are happy and regular congratulations and best wishes are being received by representatives of international trade movements and trade unions.

In the second day of fifth council of national representatives, General Secretary of GEFONT Mr. Bishnu Lamsal presented the report and work plan for the upcoming years. The plan prepared by the Secretariat. He informed about the activities that GEFONT has conducted during the one year period after the national convention.
During the programme national representatives were well informed about the projects and programmes accomplished by the organization in the past one year. The work plan prepared by the secretariat contained the issues of mobilization of union members for strengthening the organization and activities performed by organization wings outside the country.

General Secretary Lamsal stated that for the policy interference three federations GEFONT, NTUC and ANTUF jointly mobilized large numbers of labours and organization of third national convention of Joint Trade Union Coordination Committee (JTUCC) with great success.

General Secretary Lamsal also informed that GEFONT is regularly operationalizing the trade union school since this year and it is expected that this will help in the strengthening of the organization and membership distribution. In the Council participants were informed that after the devastating earthquake of 25th April 2015 GEFONT was actively informed in the task of rescue, relief materials distribution and rehabilitation. Immediately after the earthquake GEFONT rescued the vulnerable families, distributed food materials and tarpaulin for more than ten thousands families amounting sufficient for fifteen days and reconstructed model houses. Council decided to mobilize its organization and zonal teams effectively.

Similarly, Council decided to lunch campaign "Hami Yehi Chhau Chaso Rakha (Count us in)" campaign for increasing the women membership by five percent till 2018 and ensuring the inclusion of women by 33 percent in leadership role and for successful completion of the campaign council also decided to increase the membership of the women.

Similarly, Council also agreed on the five points on contemporary issues. GEFONT also expressed its strong opposition against the Indian Blockade to Nepal. GEFONT also demanded with the government to revise the minimum wage. Council has decided to strongly implement the provisions related with labour rights mentioned in the new constitution and for that council has also decided to strongly move forward in the direction of formulating legal framework. Council also demanded to include the trade unions in the reconstruction activities. GEFONT representatives from all over the country participated in the council.

We Have Ownership Over The New Constitution; Let us Heartily Welcome It!

From almost seven decades we were waiting for this day – the day to promulgate the constitution written by representatives themselves elected by Nepali people. Today the wait is over.

Six years ago a similar day had almost approached but vanished. The demon of uncompromising spirit for gaining all the rights at once did not allow the first CA to look for a minimum compromising point. “It’s now or never” view led to loss of the achievement– we lost the bird in hand while trying to get two from bush.

The second election of CA tried to bring the Nepali political situation on track, which had almost met with an accident. Standing on the change in balance of power from second election of CA, CPN (UML) Chairman K.P. Sharma Oli frequently said this CA will not have same fate as the first CA. It will not return home defeated.

Today that declaration has been proved correct. Taking ownership of the works done by previous CA this CA completed the task.

Several attempts were attempted during the constitutional developing phase. The process that began seven decades ago, through constitutional law had participation from representatives elected by Nepali people since a decade. Breaking all the pressures and doubts, on September 18 CA members signed the copy of the constitution, which was authenticated by CA chairperson. This way the wish of Nepali people to have constitution signed by their representatives has been fulfilled. Especially, the political transition lingering since 2006 is ending today. The sovereign CA will meet today, in the evening of September 20, 2015, for the last time and promulgate the Constitution of Nepal.

This has institutionalised the achievements from struggles and peoples movements so far. I, on behalf of the GEFONT affiliated almost 4 hundred thousand members, congratulate all on this happy occasion. I would like to pay tribute to all martyrs who sacrificed their life in this campaign.

I would like to express happiness to Nepali people for the successful completion of a political mission on this historical moment of beginning the country’s journey towards prosperity.

The CA proportionately represents women, dalits, aboriginal/ethnic community, Madhesi, Tharu, Muslim, backward class of all strata along with all religious and cultural minorities and Khas.
History has taken a turn; or let’s say the history has set a new chapter! After promulgation of New Constitution Federal Democratic Republic of Nepal has got her **First President**, the **first ever female** in terms of gender! On May 30, 2006 reinstated dissolved parliament-the House of Representatives had unanimously adopted a **resolution of commitment**; with a provision of 33% women representation in all State bodies including political parties, new provision to provide citizenship for children in mother’s reference instead of existing provision of only father’s reference. amendment of all discriminatory laws against woman and end of violence against women. Many of us may assumed would it be happen really!? But during the election of 1st Constituent Assembly election of 2009, the provision of 33% has been implemented effectively! The discriminatory laws began to repeal or amended. Everybody acknowledged such positive change to the **resolution of commitment** adopted by the parliament. And, we are proud to mention that this resolution was tabled in the parliament by none other than the then UML lawmaker Comrade Bidhya Devi Bhandari! The same Cde Bhandari has been elected as the first President after promulgation of New Constitution and first Female president of the country. She is taking oath of high office today.

I hereby would like to congratulate President-elect Rt. Hon’ble Bidhya Devi Bhandari on behalf of GEFONT and

- Arya population. Therefore, Constitution of Nepal formulated, in terms of process is participatory and the most inclusive. The constitution which has adopted democracy, federalism and multi-party competition is the most progressive constitution so far- written in democratic structure and enshrines aspiration to some extent of people from all strata. The constitution has, as per the will of people, transformed the country from unitary setup to federal structure.

A constitution is a political document based on agreement of the immediate balance of power. Therefore, no constitution is cent per cent complain free. In some parts of the country there is dissatisfaction especially over the delineation of states. The sovereign CA has left out some of the important agenda of our confederation and trade union movement. With time we expect to correct this move. This constitution is the foundation to move forward. Based on this base we hope our agenda will be addressed in due time. Therefore we want to remind the dissatisfied groups that we can continue our struggle to make our demands heard from the legislature parliament transformed from CA. The demands from dissatisfied groups are especially political in nature so we request concerned authority to address the just, relevant and logical grievances through dialogue.

We thank all the political parties in CA and outside, and CA members for bringing the struggle since three generation into a conclusion. We thank the working class, people in general, people’s organisations and civil society for helping in every way they can to write and promulgate this constitution.

The new constitution is ours’, we have ownership over it. Therefore, we heartily welcome the new constitution. We appeal all our members, supporters and well-wishers to light candles at home nationwide. We direct all members to participate in the all parties victory rally jointly bearing the identity.

**Bishnu Rimal**
September 20, 2015
President, GEFONT

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GEFONT is proud to note that Rt. Hon’ble Bhandari who was Head of GEFONT CWWD (Central Woman Worker Department) is elected now Head of our beloved country. Her role in seven years tenure (May 1993- April 2000) in order to promote gender equality and its mainstreaming in the trade union will be remarkable for her co-members in the then leadership. Her role as one of the trainers to promote trade union leadership in GEFONT’s unique trade union education campaign- TRUE Campaign, was undoubtedly inspiring. We believe, her election is one of the indication that no one would undermine trade union background; rather it is a solid base to lead people and the nation. From Entire Nepali working class is proud of her election.

In this context, as the president of JTUCC (Joint Trade Union Coordination Centre) and its members above 2 million, I heartily congratulate once again Rt. Hon’able president Bidhya Devi Bhandari.

We believe new president would be able to execute the new constitution effectively, cementing national harmony and unity, sovereignty and national integrity today’s challenging context.

Let me wish her a very successful tenure!
Constitutional issues favouring working class will be rapidly implemented

KP Sharma Oli, Prime Minister

Now we are in the final stage of political transition. Political transitions are never feasible, those are always accidental. Now, the long term struggle and sacrifice of the people has been appreciated. Achievements gained due to struggle and sacrifice has been institutionalized and secured. Those achievements have once again increased the pride of Nepalese Sovereignty, independence, territorial integrity, national interest and dignity.

Nepalese people have promulgated the constitution themselves, which has proved the sovereignty of the country. Since seven decade Nepalese people had dreamed of being ruled under the constitution formulated by the Constituent Assembly composed of people’s representatives. In this way we have come across the phase of political struggle, struggle to secure fundamental rights, struggle for social justice and struggle for equity. Now we are in the final stage of the political transition where we need to implement the constitution through formulation of required mechanisms, agencies and provisions. After that this transition will finally come to an end and will lead us towards the direction of development, construction and acrodromous change.

We are moving forward leaving chronic political transition behind us. We have to change our manner, method, demands and behaviors. Yesterday we were engaged in the political struggle and struggle for securing rights. We lunched various struggles against existing state mechanism and legal provisions. The time has changed now. We are not in the stage of underground struggles, facing criminal charges for that, bearing custodies, facing exiles and tortures for conducting the struggles. Means, we have crossed the stage of political struggle and now active towards the way of economic prosperity and development of the country. Yesterday we used to fight for the rights of the organization, political rights, against discrimination, inequality and humiliation, now the condition is not the same. Now we are united to move in the common way of prosperity for development and economic upliftment. So, our trade union federations and various organizations/institutions should apply their effort towards that direction. New constitution has created the space for that. All the rights provided by the constitution will be rapidly implemented in favour of labour, farmers and working class. This constitution was formulated following international democratic practices. We are able to formulate democratic constriction with the provision of periodic election, right of dissent, right of opposition, principle of separation of power, independent judiciary, Guarantee of human rights, social justice, and guarantee of equity and issue of not discriminating anyone, not making anyone insecure, not making anyone feel unjust and provision of freedom of anyone to fight against injustice.

Nepalese constitution is not weaker than any constitution in the world instead it is one of the most progressive constitutions in the world. Reservation of 33 percent has been provisioned in the constitution. In the local agencies there is provision of reservation of forty percent for women. In the upper house eight quotas have been reserved from each province for at least three women, one Dalit and one person with disability. Forty five percent reservations have been provisioned for upliftment of marginalized communities. If anything is remaining to be included in the constitution since constitution is not a rigid document and it can be amended.

In the whole world constitution promulgated after two third members of the Constituent Assembly is highly acceptable. Unfortunately, In Nepal the constitution was agreed not only two third of the members but more than 92 percent agreed on the constitution and how can it be undemocratic?

Now the government will move forward toward the direction of eradicating the poverty and development constructions and I hope that every Nepali citizen will support the government. I want to assure you all that the government will move forward in dynamic ways to direct the country in the direction of prosperity.

And finally, what should the government do for promoting the rights of the labour? I want to request you friends who are representing the labours to suggest the government on what should be done on constitutional, legal and policy level. I want to assure you that government will not move backward for implementing those suggestions.

(Edited version of the speech delivered by Prime Minister as chief guest during inaugural session of the 5th National Delegate Council of GEFONT)
Misconception regarding the constitution should be cleared
Subas Chandra Nembang, President, Constituent Assembly

There are two ways of understanding an issue and reaching to its conclusion. One is drawing prior conclusion and collecting evidences and foundations to prove ones prior understanding and conclusion. Second is collecting and analysing facts and drawing the conclusion. Second way is the most appropriate one. Drawing prior conclusion leads towards biasness. Now some friends are accepting this constitution through some biasness.

Wrong message is being spread among Madhesi community that no one will be able to be appointed in government positions due to constitutional problems. This shows how much misconception is being spread about the new constitution. I want to stress that; the constitution promulgated by the constitution is most excellent, progressive and pro-public constitution in the constitutional history of Nepal.

Second Constitutional Assembly was formulated by the votes of more than 75 percent people of the country. This assembly connected itself with the first constitutional assembly and accomplished the task of formulation of the constitution. Accepting the button up approach we formulated this constitution collecting suggestions from the people twice.

Constitution formulated from this process is itself answer to every question. Inclusive character, region, caste, geography, political ideological perspective this constitution is regarded as one of the most progressive constitution of the world. Some people are saying that ethnic communities have boycotted the constitution, Madheshi Communities have boycotted the constitution, and Dalit communities have boycotted the constitution. Some are also saying that people living in the 50 percent region have boycotted the constitution.

After hearing this answer I went through structure of Constituent Assembly and pattern of voting. During the voting day five hundred ninety eight members were eligible for voting but speaker cannot vote so total number eligible for voting was five hundred ninety seven. Total number constituent assembly members from Khas Arya group was two hundred forty nine, one hundred eighty one members belonged to Ethnic/Indigenous communities which also includes 32 members from Tharu communities. Similarly, one hundred thirty members belonged to Madhesi community, 13 members belonged to Muslim community and thirty seven members belonged to Dalit community. This was the description of constituent assembly members.

While promulgating the constitution five hundred thirty seven signed in favour of the constitution whereas sixty members did not participate in the process. In which, ninety one members from Madhesi community signed in favour of constitution and thirty nine members were absent. One members belonging to Dalit community and twelve members belonging to ethnic/indigenous communities did not participate in the process.

This statistics clearly demonstrates that majority of Maheshi, ethnic/indigenous and Dalit members signed in favour of the constitution. Message that majority of this section signed in favour of the constitution process is a falsified message.

Next issue, on 20th of September 2015 after the promulgation of the constitution, election for the selection of Prime Minister was conducted in the process of implementation of the constitution and those members who were called to have boycotted in constitution promulgation process participated in the election process. This means they participated in the constitution implementation process. So this constitution has not been boycotted by anyone.

It should be cleared on the provisions of the constitution in which some members are dissent. New constitution has provisioned that geography and population as criteria for the determination of electoral constituencies. And, in every twenty years this provision should be revised. Initially it was asked for ten years. Lots of comments were heard about that.

We have studied in depth. People belonging to large geographical areas should not be fallen into grievance. More than other countries we concentrated our study more on neighbouring country India. Forty Second amendment of the constitution of the India has provisioned that no revision can be made before 25 years. Next amendment made in the AD 2000 provisioned not to change the electoral constituencies before 25 years. This means electoral constituencies cannot be revised in India before 50 years. Learning from our experiences and Indian context we finalized that revision of the electoral constituencies within 20 years this will make the constitution more democratic.

We also went through population of some electoral constituencies. Lakchyadip is an electoral constituency having 47 thousand 9 hundred and 52 voters. And, one electoral constituency in Andhra Pradesh has 29 Lakh 53 thousand 9 hundred and 15 voters. So, we also realized that electoral constituencies should be determined on the basis of geography and population. If it is appropriate for others it can also be appropriate for us as well. Is not it?

Main problem is that we are not being able to convince our issues properly. Present constitution was formulated after the deep analysis of our context and experiences from neighbouring countries. So, I can strongly stress with evidence that our constitution is not undemocratic and unjustly to anyone.

(Edited version of the speech delivered by Mr. Nembang as speaker during inaugural session of the 5th National Delegate Council of GEFONT)
Government will work in favour of working class of people round the clock

Ishwor Pokhrel, General Secretary, CPN (UML)

Now the context has changed, national politics has changed. This change has impacted the organized lives of the labour and our agendas. Not only this, opportunities and challenges for our roadmap have also changed. While preparing our roadmaps we should seriously accept the changing reality.

Now the definition of the working class has changed and the scope has expanded. So, we can prove ourselves efficient only if we move forward accepting the existing changes.

Several misconceptions are falsefully spread about the constitution. Here, we have to remember that constitutions are promulgated but are never complete. This is a fact for our constitution too, because it is a living document. This constitution is the reflection of existing power balance and it will change over time. Our constitution was promulgated on the foundation of present power balance.

Constitution is the document of compromise. This compromise means compromise among various powers which rose in the CA elections of 2013. We were in favour of consensus but that was not possible. Even, reaching a consensus among all political parties representing in the CA in every issues is far from distant dream. This was not possible during formulation and promulgation of the constitution. So, we
moved forward by abiding by all due processes. However, misconceptions are widespread concerning 
the process of promulgation of the constitution.

We were hurrying to formulate the constitution as we were concerned that the stagnation caused by 
transitional period would hamper the country. Transitional complexity was affecting overall aspects of the 
country. Thus to end the transition we formulated the constitution with due process. Some national and 
international forces were trying their best not to let us formulate a new constitution as their conspiracy 
would not be fulfilled if we drafted the constitution. We made their conspiracy unsuccessful.

At present, some groups have created anarchy in the name of a movement. We have to ask a question: 
Who are in the front of this hue and cry? Who are behind these? Nepali people know these groups 
and behind the curtain conspiracies. As 112 out of 116 directly elected CA members from the southern 
plains of Terai plain region were from the three major political parties in the CA – Nepali Congress, CPN 
(UML) and UCPN (Maoist), there is no point to be disgruntled of the new constitution when we talk about 
people’s mandate. Therefore, current propaganda against the new constitution is a mere conspiracy to 
losing Nepal’s politics, Nepali people. Our constitution is not only better than that of India but also than 
many other democratic countries of the world, including on issues such as citizenship and delineation 
of constituencies. Therefore, it is necessary to dismantle the futile efforts made by various forces against 
Nepal’s social unity.

As the country has now moved towards a federal structure, the structures of our party and sister 
organizations should also follow this route. In that sense, some of our current structures turn to be out-
dated and we need to develop some other new structures and mechanisms within the party and our 
sister organizations. Central structure of the party will be smaller and provincial structures evolve to be 
larger and stronger. In this backdrop, GEFONT should accelerate discourses on how it would reposition 
itself in the new state structures.

At present, the Government of Nepal is under the leadership of CPN (UML). That is why the government 
undoubtedly works for the benefit of working class people. If there are any priorities that need to be 
realized to address the concerns of workers, GEFONT should let the government know about them, even 
any issues that require amendment to the new constitution. I would like to assure you that those issues 
and concerns will be implemented by the government.

(Edited version of the speech delivered by General Secretary of CPN-UML Pokharel as a guest during the 5th National Delegate 
Council of GEFONT)
Effect on Nepali economy Due to Blockade Imposed by India

Context

Nepal faced a severe challenge due to undeclared trade blockade imposed by India. Hospitals lacked medicines, operations were halted. Many pregnant women were under life threat as medicine for high blood pressure was unavailable. Due to the scarcity of petroleum, the public vehicles could not operate which severely hampered life of people. Due to scarcity of LP Gas many families starved; restaurants and hotels started serving very limited food items. Nepal, just a few months prior to trade blockade had faced massive earthquake - after this natural calamity it was forced to face yet another calamity - man induced. The trade blockade imposed right after the promulgation of Constitution of Nepal on September 20 affected all the sectors of social life.

In the 21st century to manage inter-state relations many international treaties, declarations, code of conducts including United Nations’ Charters have been framed. In such a case, it is almost impossible to comprehend that the self proclaimed largest democracy of the world, India would conduct itself in most inhuman way and impose trade blockade on its neighbour - a small sized country who promulgated the constitution with high level of democratic values and inclusiveness in the most democratic way. But Nepal was forced to face this inhuman and unexpected situation. Nepal had to pay the price and undergo tremendous hard test to prove that it is a sovereign state and has the right to self declaration which will not tolerate outside interference in its internal affairs.

Fate of least developed and under developed

It has been more than six decades since Nepal became free from the autocratic Rana regime and entered modern era from medieval era. Similarly, its been six decades since Nepal started development plans. But even after such a long time of practicing democracy and plans for development Nepal is still listed as undeveloped country. Nepal has achieved significantly in social development index but it is yet to achieve significantly in physical infrastructure, job creation, and upliftment of people’s lifestyle. When contemporary Republic of China and Republic of Korea who got democracy at the same time as we got partial democratic system, have developed better than imagined. When we got multiparty democracy after people’s revolution of 1989, the countries Cambodia and South Africa which also came out from civil war and racial discrimination, after 25 years have now developed significantly. But we are listed in the least developed countries.
So where did we go wrong?

In the past, the main reason for our under development was monarchy and feudalism protected by monarchy. When the concept and way of development is flawed it is but natural not to get desired results. After the change in political system since 1989 there were some positive changes but some policies implemented blindly imitating the global financial capitalism made the social sector of Nepal weaker. Public/Government industries using Nepali raw materials, generating jobs at mass scale or giving good revenue were all privatized; state reduced investment in education, health and social sector which led to poor economy. Agriculture aid given to farmers was cut down which affected farmers and Nepali entrepreneurs could not compete with foreign made goods.

The economy which had just started crawling had to face more problems when armed conflict started in the name of emancipating “working class”. Far from emancipation the conflict further entrenched poverty limiting the job opportunities for this class. Strikes, violent activities, loot etc during the conflict further destroyed country’s economy and made it dependent on others. In the name of closing down private education many education institutes were mishandled which forced billions of rupees out of the country. More than 17 thousand people were killed, physical infrastructure worth more than 7 billion rupees were destroyed, almost hundred thousand families were internally displaced and massive out migration of youth are some of the severe losses faced because of the conflict. It will take us many years to recover from that. We have settled peace process after spending almost around 50 billion rupees. But to rebuild the economy that it has destroyed is a long journey.

Nepal was moving forward with the goal to settle peace process and promulgate constitution and strengthen the economy to move Nepal up from Least developed countries category to developing countries category by 2022. But massive earthquake in April 2015 and aftershocks for months halted this process. Almost 9 thousand people lost their lives, more than 22 thousand were injured and hundreds of people are missing. The quake of few seconds destroyed homes of more than 40 hundred thousand people. Thousands of schools were destroyed by the quake leaving the future of students in dark. Almost 5 hundred thousand Nepalis were pushed below poverty line. Our process to settle the peace process, bring stability and prosperity in the country by managing armed conflict and transitional phase faced a huge blow.
While Nepal was gearing to face such a challenge both physically and emotionally was again challenged by India imposed trade blockade which completely destroyed our economy.

**Trade Blockade: Undeclared war**

Internationally trade blockade is taken as unofficial war. Powerful states impose trade blockade on countries who dissents on certain issues to make weaken these countries’ right to self declaration and the unsettle citizens’ day to day life. For a long time America and Europe imposed trade blockade on Iran accusing it of making nuclear weapons but now after a significant agreement the trade blockade is slowly being loosened up. Accused of making missile and with political intent North Korea faces trade blockade. Because of the leftist influence in Venezuela, America is trying to impose trade blockade. At the same time America is slowly backing off from its 50 years long trade blockade on Cuba and has established diplomatic relations as the trade blockade did not have any significant impact on Cuba. After dissolving Crimea the Western countries have imposed trade blockade on Russia but it has not produced any result.

And India has used this tool against Nepal accusing Nepal of not addressing India’s “concerns” and “advice” in Nepal’s Constitution. The trade blockade inviting human crisis is against Declaration of United Nations, SAARC Charter, United Nations Convention on right of Landlocked transit and trade, Nepal- India transit agreement, trade agreement and centuries old relationship between Nepal and India

**Effects of the Trade Blockade**

Because of the undeclared blockade imposed by India, more than 12 billion rupees, which is almost twice the loss from earthquake. During this time Tarai – Madhes industrial corridor, Sunsari Moran corridor, Birgunj Simara corridor, Bhairawa Butwal corridor were negatively affected. All industries were shut down for months. And, workers and their families depending on these industries for their livelihood were badly affected.

Tarai- Madhes is an important geographical location which can play a role of a “power house” to prosper Nepali economy. Here, we can implement the well planned industrialization and urbanization. Maximum investment- both internal and foreign should be brought here. Special focus should be given to re establish the weak industries in Terai Madhes. It should be ensured that the industrialization bring maximum benefit to the local community, increases job opportunities, utilises local raw materials and maintains environmental safety. But the trade blockade and Madhes strike has further pushed away the possibility of development there.

In gist, the trade blockade imposed saying for the “benefit of Madhesi community” has not only negatively affected Nepali people in general but Madhesi community in particular. They are further pushed below the poverty line.

**Way Forward**

The India imposed trade blockade has forced us to speculate and realise the fact that Nepal is heavily dependent. In this sense, while negatively it has helped us in our growth. We have to take this as a lesson and start a new journey for economic independence. Especially even if we focus and manage to be independent in agriculture and energy sector we will not have to face such situation again. If we were independent in energy sector then India could not flex its muscle against us, its tool would have been useless. There economic independence should be our campaign. For this, we need to achieve right balance between economic increment and just distribution, uplift livelihood of workers and keep the working class’ interest and benefit at the heart of this campaign.

Apart from this, we have also learnt that heavily depending in one transit point and in one country is calamity waiting to happen. To liberate ourselves from this situation we have to have diversed trade with China and open China Nepal transit too for trade- we need to conclude transit agreement, open trade with China, BIPPA and direct foreign investment. Based on the cordial relationship shown by Bangladesh, Qatar, UAE and Saudi Arab at this hour we also need to keep our options open.

If we can do this then the trade blockade imposed by India can be translated into an opportunity from challenge to make Nepal economically independent.
1. Unavoidable monster

The Gorkha Earthquake of April 25, 2015 is registered in the history as a Strong disaster with incomparable losses. The aftershocks were also damaging physically and more violent psychologically & psycho-socially. One third of the total population has been affected by the quake particularly in 31 districts, out of which 14 districts including capital valley have been the most affected ones. In total, officially recorded deaths are found to be 8790 persons where number of females is higher than males. Number of injured has been estimated to be more than 22,301. Completely destroyed private houses are 508,724 and government buildings are 2656. Another 270,000 private houses and 3622 government buildings are under various forms of damages. In education sector 19,000 classrooms have been destroyed and 11,000 damaged (PDRF 2016). Total loss in monetary terms is estimated to be NRs. 764.6 billion (PDNA 2015).

Average Per capita Loss per person has been estimated to be NPR 130,000.

2. Unions in joint work

Unions became active immediately in Rescue and relief works with their limited resources and the assistance of fraternal trade Unions of other countries, GUFs and ITUC. National centres on their own started the initiatives through their activists wherever possible. After 2 months of activities on their own, ITUC-NAC with the...
involvement of Major three national centres of trade unions – GEFONT, NTUC and ANTUF conducted a rapid assessment survey of the most affected 14 districts to find out the actual impact and disaster effects on working people and particularly to their members and families.

As revealed by the survey in most affected 14 districts, the loss of life has been 170 union members and 480 dependents. The members injured have been 1,522 and 1208 dependents. Altogether the total number of victims in trade union family within the three national trade union centres – GEFONT, NTUC & ANTUF – has been recorded to be 60,916. The strong earthquake caused massive damages to more than 60,000 houses where 5401 houses are completely destroyed and 55,515 are partially damaged (ITUC-NAC, Rapid Assessment)

Through the joint union initiatives, a trade union Roadmap was developed by organizing an international solidarity meeting on Nepal in cooperation with ITUC HQs. The roadmap covered the pertinent issues of the working people in the aftermaths of the terrible earthquake. The Roadmap also focused attention on 4 strategic pillars of Decent Work Agenda – job creation, International Labour Standards and rights at work, social protection and effective social dialogue and tripartism – to be realized in practice for nation building in post-quake strategy.

For reconstruction process, trade union concern was emphasised on following points in the Roadmap:

- Labour Intensive strategy and efficient labour information system
- UT representation in NRA & set up of labour department in NRA
- Union representation in district level post disaster Reconstruction Monitoring committees in the 14 adversely effected districts
- Incorporating Minimum labour standards in the procurement process
- Joint skill development trainings by NRA, Tus and Contractors/builders

The Roadmap identified the need of the present day ‘Worker Friendly State – Work Friendly Governance’. The Roadmap demanded the entire decade 2015-2025 to be declared as The Decade of Reconstruction with Focus on Job Creation. (ITUC-NAC, Trade Union Roadmap) The roadmap was jointly handed over to the authorities including Prime Minister and other relevant ones.

3. Government in action

The first priority work was rescue and relief, which was conducted by government in cooperation with national and international stakeholders. The role of Nepal police, Armed Police Force and Nepal Army was highly significant. Volunteer mobilization by political parties mainly CPN (UML), NC and CPN Maoist and also by smaller parties was very important to assist government in the beginning. However every organization whether political, social, cultural, religious or of any other set up participated in the relief process which has proved our distinct unity in emergencies. A total of 134 international search and rescue teams from 34 countries assisted Nepal. UN and international agencies in addition to 60 countries provided humanitarian assistance and contributed Nepal for emergency relief.

Voluntary mobilization of youths in the aftermaths has been an example in the country. Government action as well as spontaneous activities of people & organizations in the post disaster period is appreciable, though corruption and irregular activities both from the government and non-government side have also been reported in media. Temporary housing in addition to food and cloth has been effective in most of the places however there were lapses in providing services to the needy ones in remote rural areas where people are still suffering under hardships.

Initially government could not be fast to form National Reconstruction Authority due to policy & political debate among major political parties. Hence the authority was entrusted to National Planning Commission. NPC conducted quick assessment surveys and developed Post Disaster Needs Assessment (PDNA) which exposed real disaster effects and actual losses based on which concrete plan has been designed.

Later on after more than six months with the formation of new coalition government, NRA was formed.
and the Reconstruction Act made arrangement of various tiers and complementary bodies:

- National Reconstruction Advisory Council
- Steering Committee
- Executive Committee
- District Coordination Committee
- Development Assistance Coordination & Facilitation Committee
- Appellate Committee

NRA has 208 positions of personnel, where CEO and Secretary will be the leading officials.

Strategic objective of Recovery plan for reconstruction programme of the government is focused on Safe structures, Access to services, Livelihood support, capacity building and Social cohesion in the entire process, in other words:

- Restore and improve disaster resilient housing, government buildings and cultural heritage in rural areas and cities
- Strengthen the capacity of people and communities to reduce their risk and vulnerability and to enhance social cohesion
- Restore & improve access to services and improve environment resilience
- Develop and restore economic opportunities and livelihoods and re-establish productive sectors
- Strengthen capacity and effectiveness of the state to respond to the people's needs and to effectively recover from future disasters

NRA Conducted mapping of Households in cooperation with Central Bureau of Statistics by mobilizing more than 1500 engineers in the most affected 14 districts. The plan has been concretized to mobilize 1 engineer, one assistant engineer, 1 social mobilizer and 1 mason in each of the Village Development Committees in the construction process of more than 500,000 private homes. This technical human resource will be assisted by thousands and thousands of workers after quake resisting Build Back Better trainings.

International aid pledge is NPR 410 billion, of which 120 billion has already been committed. Three Special Funds have been created – Reconstruction Fund, Multi Donor Trust Fund and Dharahara Reconstruction Fund. In addition a separate Heritage Fund is also under consideration to be established for the restoration of cultural heritage assets. Government implementing budgets will be mobilized in addition to the funds under NRA. The early need assessment by NPC exposed by PDNA has been NPR 669 billion, however in the later days as reconstruction work could be launched forward and delayed, the new estimates by NRA exposed by PDRF has been NPR 811 billion.

In January 2016, Reconstruction work was launched by National Reconstruction Authority through formal programmes involving President and Prime Minister in urban heart Ranipokhari of Kathmandu and rural cultural place Bungmati of Lalitpur respectively.

All administrative and coordination related preliminary works have been completed and district coordination offices have been established. More than 2500 engineers have been appointed, trained and sent to villages for actual work. The distribution of first instalment to build private houses started from March 3, 2016.

As decided and declared, NPR 200,000 will be given as grants to the families whose houses are completely destroyed. NPR 50,000 for foundation work as first instalment will be followed by NPR 80,000 for further construction as second instalment and finally NPR

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### Box 3: Financial requirements by sector

<table>
<thead>
<tr>
<th>Sectors</th>
<th>in millions NPR</th>
<th>%</th>
<th>in millions USD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture, irrigation &amp; livestock</td>
<td>26894 (3.3)</td>
<td></td>
<td>269</td>
</tr>
<tr>
<td>Cultural heritage</td>
<td>23,229 (2.8)</td>
<td></td>
<td>232</td>
</tr>
<tr>
<td>Disaster risk management</td>
<td>6853 (0.8)</td>
<td></td>
<td>69</td>
</tr>
<tr>
<td>Education</td>
<td>143012 (17.6)</td>
<td></td>
<td>1430</td>
</tr>
<tr>
<td>Electricity &amp; Renewables</td>
<td>23,526 (2.9)</td>
<td></td>
<td>235</td>
</tr>
<tr>
<td>Employment &amp; livelihoods</td>
<td>9066 (1.1)</td>
<td></td>
<td>91</td>
</tr>
<tr>
<td>Environment &amp; Forestry</td>
<td>28382 (3.5)</td>
<td></td>
<td>284</td>
</tr>
<tr>
<td>Gender &amp; Social inclusion</td>
<td>4627 (0.6)</td>
<td></td>
<td>46</td>
</tr>
<tr>
<td>Governance</td>
<td>3065 (0.4)</td>
<td></td>
<td>31</td>
</tr>
<tr>
<td>Government buildings</td>
<td>28438 (3.5)</td>
<td></td>
<td>284</td>
</tr>
<tr>
<td>Health</td>
<td>17493 (2.1)</td>
<td></td>
<td>175</td>
</tr>
<tr>
<td>Housing in rural areas</td>
<td>202350 (24.9)</td>
<td></td>
<td>2024</td>
</tr>
<tr>
<td>Housing in urban areas</td>
<td>233877 (28.8)</td>
<td></td>
<td>2339</td>
</tr>
<tr>
<td>Nutrition</td>
<td>7461 (0.9)</td>
<td></td>
<td>75</td>
</tr>
<tr>
<td>Social Protection</td>
<td>13,613 (1.7)</td>
<td></td>
<td>136</td>
</tr>
<tr>
<td>Tourism</td>
<td>316 (0.03)</td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Transport</td>
<td>8176 (2.2)</td>
<td></td>
<td>182</td>
</tr>
<tr>
<td>Water &amp; Sanitation</td>
<td>21247 (2.6)</td>
<td></td>
<td>212</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>811,625 (100.0)</strong></td>
<td></td>
<td><strong>8116</strong></td>
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</tbody>
</table>

(Source: NRA PDRF 2016)
70,000 for roof work as last instalment. In addition, another NPR 300,000 can be given by government based on the need of the household and collective recommendation from the households of the locality. Similarly on demand as easy loans, government will provided NPR 1.5 million in rural areas and 2.5 million in urban areas to the needy households.

According to the plan of the NRA, within 2 years private house reconstruction work is expected to be completed. Likewise, within 3 years, schools/hospitals and government buildings are to be completed in simultaneous progress. Similarly, the renovation and reconstruction works covering all the buildings of archaeological importance are to be completed within 5 years.

4. Current efforts of GEFONT in Long run perspective

Immediately after the strong and damaging Earthquake, GEFONT organized a central level meeting of the available leaders and activists. GEFONT urged entire members to lend solidarity whatever possible to help the victims. A 5-R Strategy was proposed Rescue, Relief, Rehabilitation, Resettlement and Reconstruction. International trade union community and other helping hands responded generously in a solidarity sentiment. Some of them came with relief materials including food and cloth and many of the trade union community extended hands with financial assistance.

GEFONT extended helping hand to 10,840 families with rice, lentil, salt, tent, blanket kitchen materials, dry foods and medicines

Blood donation camps and health camps were organized by GEFONT affiliates in addition to collection of various relief materials for distribution. GEFONT activists from Construction sector were highly effective in rescue work and Health sector activists in medical assistance. To build transitional shelters before monsoon rainfall altogether 374 GEFONT activists worked for 1 month continuously in Kathmandu and Kabhre. In total 181 transitional shelters and 9 community schools were built by GEFONT volunteers. GEFONT activists helped people to clear up 208 houses which were in dangerous position and in high risks. Total mobilization of GEFONT activists nationwide has been found to be 5000+. During the period, GEFONT undertook the responsibility of an entire village named Chature of Kabhre district by building 38 temporary houses with 1 community hall and 3 water supply tanks as a model village in cooperation with APHEDA Australia and Professional & Progressive Engineers Association of Nepal. In addition, 4 schools on temporary basis and 180 temporary huts have been built by GEFONT volunteers in various parts of Kabhre and Kathmandu.

Focusing its members and families on the founding day of GEFONT July 20, a sum of NPR 1.5 million was distributed to the 23 families of the Members who lost their life and to 23 seriously injured members. On November 20, 2015, GEFONT distributed NPR 7.2 million to the crisis-hit families of GEFONT members

Houses of 2400 members of GEFONT are affected by the earthquake; naturally they need financial support from GEFONT. Skill upgrading work will be necessary with a viewpoint of livelihood support to several hundred members. In a long-term perspective GEFONT has started preliminary works to set up a separate Post Disaster Response Unit so that in the future day disasters, immediate action could be launched in a planned way. Construction workers need skill and technological upgrading trainings which are also under consideration in future plan of GEFONT. Building of Community houses in at least 5 places is under the future plan of GEFONT.

5. Concluding points

- The disaster in the form of Strong earthquake hit us incomparably creating extreme hardship to the entire population. The economy and the growth rate came to a downfall trend. At the same time the blockade in the south, eastern and western borders in the name of issues of New constitution paralyzed the economy for more than 6 months period. The ultimate result has been witnessed in the very slow and never-in-the-history growth rate of 0.77 percent during the current fiscal

<table>
<thead>
<tr>
<th>Box 4: GEFONT coverage of crisis-hit families by district</th>
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<tbody>
<tr>
<td><strong>District</strong></td>
</tr>
<tr>
<td>Sindupalchok</td>
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<tr>
<td>Nuwakot</td>
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<tr>
<td>Rasuwa</td>
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<tr>
<td>Gorkha</td>
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<tr>
<td>Kabhre</td>
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<tr>
<td>Kathmandu</td>
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<tr>
<td>Dhading</td>
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<tr>
<td>Makwanpur</td>
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<tr>
<td>Lalitpur</td>
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<tr>
<td>Ramechhap</td>
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<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

(Source: GEFONT, Solidarity in Disaster)
year. The reconstruction work could not go ahead due mainly to the lack of essential materials, petroleum products and construction materials. Now the situation is coming to a normal level, but the indicators will take long time to improve and to gain a reliable momentum. The reconstruction/renovation of more than 1 million houses and public buildings may not be completed in this situation; hence a 5 year period may not be sufficient. Therefore, the union demand of declaration of RECONSTRUCTION/NEW-CONSTRUCTION DECADE may prove to be more realistic.

- Labour requirement for this mass scale reconstruction, new construction and renovation naturally needs large number of workers. If we suppose that construction of a house needs 6 workers and every worker will be involved in the construction of 4 houses, 1 million house constructions needs 1.5 million workers. The training and mobilization with high efficiency and concrete plan is necessary. The mass scale public and private construction works also creates allied and supplementary jobs. But our guys and girls at active age are flowing increasingly outside for foreign employment. If we could not create a decent work situation, this outflow of labour will continue and our reconstruction, renovation and new-construction work will witness labour shortage.

- From union point of view, facilitating the members in reconstruction by making arrangement of dialogues with central level government authorities as well as local & district level authorities is very important. Unions also need to be in regular contacts with banks and other relevant institutes/organizations for the benefits of the member victims.

- Operation of joint helping mechanisms in crisis hit 14 districts as well as in other 17 districts is necessary. The union representation and involvement in District level coordination mechanisms of NRA and the government will be highly significant and hence an effort in this direction is desirable. If not represented, the frequent interaction with District coordination committee of NRA and other government mechanisms will be necessary for the trade unions. Union participation in entire process if ensured will be of high importance in days to come.

- Training to expand the livelihood options & opportunities and training for quake-resistant strong construction to the members is to be considered in high priority by the unions.

- In addition to ensure the smooth flow of labour supply in this reconstruction phase, volunteer mobilization by unions based on the need of the particular areas in various districts will be important. This type of involvement will give more strength to the trade unions to gain more ownership in policy and enforcement.

- Demand for concrete Plan and effective mechanisms for implementation with regard to job creation, skill training and decent wages should be taken as continuous area of lobbying and pressure by the trade unions from central to local level.

**Selected references**

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3. GEFONT, Solidarity in Disaster, 2016
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8. www.gefont.org
Nowadays, May 1 is celebrated as a superb anniversary. The day celebration is connected with the past struggle workers had carried out. We all know that its glorious story replicates the protest by the workers against the suppression of the Haves on the Have Nots with numerous presence. The relation of the workers on the May Day is connected with the "Three-Eight", that is, 8 each hours for "Work", "Recreation" and "Rest". The Day is commemorated as a reminder of the Workers' Leaders in Chicago who were sentenced to death 130 years ago as they dreamed the "Dignified, Prosperous and Creative Life" for the sake of the workers future generation. In our country, this Day reminds us the hard life taking struggle for Democracy, Equality – and Prosperity suffered by the working class against more than a century oligarchic Rana Regime, then Authoritarian Monarchy which imposed non-party Panchayat System.

We bring these memories in our each year’s May Day celebration except last year which witnessed the devastating earthquake and its unforgettable losses of lives and properties. We exchanged condolences, and the stories of sorrows and miseries of the Nepalese people. We stood on mutual cooperation with shrewd patience and said, “This is not the time to show frustration, express anguish, and feel monotony.” We said, “We are determined to new construction standing on the debris we got.”

This May Day:
A Shift towards "Three National
The year’s May Day is not enough to celebrate under the slogans of the “Three-Eight” only. We working class now need to shift towards “Three National Tasks”.

What are they?

First, the implementation of the Constitution promulgated last year on September 20: The implementation of the Constitution means the implementation of the achievements obtained through the struggles we carried out and now have been institutionalised through the Constitution. This process ensures the food, shelter and cloth to the people who are still deprived of. This will ensure institutionalising the freedom for the class like Kamaia – Haliya, Haruwa – Charuwa ill-practised in our society for long and we ourselves involve in the struggles for their liberation.

Second task is to dedicate our struggle for the reconstruction which is a challenging task in the context that everyday more than 1,000 youths have been going abroad in search of the employment. The Trade Union movement’s attention needs to be focused towards not having any shortage of the labour in the course of reconstruction and new construction.

Tasks" along with "Three-Eight"
Third task is to implement the plan of the economic prosperity.

We struggled for the democracy. There is difference between "Struggle for Democracy" and "Struggle in Democracy". After the promulgation of the new Constitution, we have reached the one point destination that we sketched from the past struggles. This means now any movement that we expect to struggle is a struggle in democracy and not struggle for democracy. And thus we need to be determined towards this end.

Data reveals that due to the negligence of the employers, one worker dies in every 15 seconds in the world. Every year, there are over 2.3 million work-related deaths worldwide, more than six thousand every day. An estimated 660 thousand workers die each year from occupational cancer, or over one every minute. In this context, news of our ‘world of work’ is not encouraging. The workers’ lifestyle needs to have change whether they are in regular labour relation or irregular casual employment relation.

Thus we saw the dream of transformation, and the process we said is through building of workers power.

As of an American Community Organiser and Writer, Saul Alinsky, humankind have been divided into three tires: the Haves, the Haves-Not and the Have-a-Little, Wants more. The Haves are always atop the social pyramid with the control over power, wealth, protection and luxury. Whilst they suffocate always in the limitless property, the Haves-Not are often in the clutch of starvation.

Building Workers power is a process to uplift those Haves-Not into a category of the Haves. We think, through implementation of our constitution, we can build workers power. Thus, the theme of this May Day is fixed as- Transformation: BY Building Workers’ Power; Building workers power through implementation of Constitution.

From the point of view of the Trade Union, the implementation of the Constitution means the transformation of the state towards welfare-state economically-socially. This ensures our labour legislation workers-friendly and democratic. This helps workers access towards means of production. They are tied up with the social security system. This will classify the people’s lives as childhood, working age and the age for rest. The children brought up with universal social protection are potential for the able working class in future ensuring “high wage and high productivity” that is protected under the contributory social security system. This will not merely protect from the accident and Medicare while being sick. This will ensure social security with unemployment allowances as defined by the ILO.

The surplus obtained from the joint contribution by the workers and employers during their active age as facilitated by the state will give the people in their old age the social security. This directs the nation towards establishing as able national capacity with high economic growth rate and equity based distribution system. Our labour relation turns towards solidarity and discipline based. The class transformation is achieved through the course of struggle – unity – struggle, coexistence of workers and employers as of two sides of the magnate.

This can be a mere dream for some one. But the plans we have imagined now are the commitments on the occasion of the May Day too. It is said Happiness does not fall out of the blue and dreams will not come true by themselves. We need to be down-to-earth and work hard. We should uphold the idea that working hard is the most honourable, noblest, greatest and most beautiful virtue.
GEFONT celebrated the May Day organizing different programmes throughout the country. Rallies and mass meetings were organized in Kathmandu and other major cities where thousands of workers participated in to mark the Day.

General Secretary of CPN (UML) Ishwar Pokharel addressed the mass meeting in Kathmandu. Addressing the meeting he recalled the May Day celebrated during the panchayat era and acclaimed the workers’ leaders for the grand celebration of the Day even such closed political environment. He said the situation has been changed now. ‘The struggle for the realization of political rights has come to an end after the promulgation of the constitution. Now we should aim to achieve economic and social transformation for prosperity,’ he added.

GEFONT Joins I Build My Dharahara Campaign

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While the country is moving forward with a new approach, it has been vital to redirect the trade union movement. So he suggested GEFONT to be ready for it and move forward accordingly. He also underscored the need for a new groundwork to lead the trade union with a new vigour because the past exercise; conclusion and organizational structures do not match new expectations. Recalling that more than four million Nepalese are migrated abroad for foreign employment, he emphasized to create employment opportunities at home otherwise political change alone cannot make a difference.

He further said an era of transition has been completed with the promulgation of new constitution. ‘Now the challenge lies in the effective implementation of it. If we fail to do it, the country will fall in trouble. To avert the country from such possible situation, we need to be agile,’ he said.

On the occasion, GEFONT also extended its solidarity to support ‘I Build My Darahara’ national campaign. Chief Guest Pokharel unveiled the symbol of Dharahara. Chair of GEFONT Bishnu Rimal informed the mass that GEFONT deposited NPR 387,418 in the accounts managed for the national campaign. Prime Minister KP Oli had declared the national campaign ‘I Build My Dharahara’ and called for support to donate amounts as per individual capacity and interest. In the meantime some trade unions and foundations committed to deposit some amount in the accounts.

On the occasion of May Day, Zonal committees of GEFONT also organized different events including blood donation, games and sports, rallies and public meeting in eight different major cities out of Kathmandu Valley. On the occasion of May Day, a poetry selection of Umesh Upadhyaya based on April Movement 2006 was also launched by the chief guest.
May Day 2016: Revisiting Past and Our Commitment

Transformation by building workers’ power
Building workers’ power by Implementing Constitutional provisions

One hundred and 30 years ago from this date the workers in Chicago, America took to streets demanding 8 hours work, 8 hours rest and 8 hours entertainment. In the struggle four worker leaders became martyrs and many were injured. But the suppression could not stop the workers’ voice. On 1889 May 1, after 3 years, it was decided to commemorate May 1 as labour day in the memory of those four leaders. It was initiated in few countries, which is now celebrated worldwide. The demands that were raised hundred and 30 years ago maybe fulfilled in most part of the world but workers are yet to realize the dream of decent work and prosperity.

Nepal has been in transitional phase since decades and workers have been victims all along. After the Constitution of Nepal promulgated on September 20 last year India imposed trade blockade on Nepal and the same year in April Nepal and Nepalis were victim of massive earthquake. These two factors destroyed the economy of Nepal. Obviously the workers were the most affected group.

Amidst such problems the constitution of Nepal was promulgated and it has some important agendas incorporated like- socialism, social security, right to inclusion which were raised by workers since decades. This had indeed opened up possibilities for Nepali workers, which is source of satisfaction. These can be taken as an important achievement. Although, some of the important agendas are left behind like- workers’ representation in state bodies, labour commission for fast justice and right to strike which requires us to put more effort in days to come to incorporate these agendas in constitution.

Despite several adversities there are some positive issues too to be celebrated this May Day, which gives a happy message to the workers. Some of the labour law provisions in the process of being amended are now being finalized. Of more than half a dozen laws to be amended, final point of labour act is tabled in the parliament. Similarly, the social security act to provide social security to workers based on contribution is also tabled in the parliament. If these bills are passed from the house in few months then we can start working on improving labour market, safeguard workers under decent work and social security.

May Day 2015 could not be celebrated mobilizing large number of workers as planned- the earthquake of April halted all the plans. We participated in the program organized by JTUCC (Joint Trade Union coordination Centre) to commemorate May Day 2015 by lighting candles in the memory of the lives lost in the earthquake.

After earthquake we got involved in relief and rehabilitation activities. GEFONT and GEFONT affiliated federation volunteers participated in relief material distribution, demolishing earthquake destructed houses, building temporary shelters, cleaning campaigns, and so on in Kathmandu and other earthquake affected districts. Despite the unstable situation post-earthquake amidst aftershocks GEFONT volunteers reached out to victims and distributed food and clothing materials and did our best to heal the wound. Similarly, in Chature village of Kabhre district we built temporary shelter for earthquake victims who lost their houses. We also distributed some cash fund to victims who are GEFONT members.

Last year we spent most of our time in managing and recovering from disaster- it was a difficult time but we were not disheartened, we kept moving forward with determination to implement our plans. A year after May Day 2015, we have accomplished few goals which are of high importance. Along with this we have also begun our ambitious plans and are taking it forward. Among these works accomplished some are organizational related and some are for comprehensive interest of workers.

After the promulgation of new constitution there have been efforts made to mis-construct the provisions of constitution to show it in bad light. Therefore, to dissect the constitution from different angles we held 5th delegate council meeting and discussed the agendas of women, dalit, adivasis, ethnic groups and Madhesis vis a vis the new constitution. This helped to some extent to demystify the constitution provisions.

But only that meeting was not sufficient to educate the GEFONT members. Therefore, we started zone level educational program on new constitution and GEFONT policies and programs. These training programs were helpful to reach out to members at zone and district level to raise awareness among them regarding the workers’ rights and benefits guaranteed by the constitution.

Our goal is to significantly increase the membership. And, for that unions are effectively mobilized which in turn has established GEFONT in the forefront of Nepali trade union movement.
Adhering to the main mantra “workers can achieve the rights only if trade union are strong” we focused on membership increment and their capacity growth. And for that we have continued our regular trade union school. Till this date 20 groups and 600 members have been given one week long training. This has further strengthened the well trained army of organisers.

From 6th General Congress the other important work that we have initiated is establishment of GEFONT solidarity fund which aims to help our members financially when they or their family member face any grave illness. Our goal is to establish fund of 10 million rupees and we are in successful track; we are still getting deposits in the fund. Therefore, we are now in a situation where we can help our members if they have any grave health hazards.

Because natural calamity- earthquake and man induced calamity- trade blockade Nepal's economy is de-stabilized. In such situation it was difficult to lobby for and implement the revisiting of workers' minimum wage in every two years. But even in this adverse condition we were able to increase the minimum wage by 17 hundred rupees. It is not sufficient to tackle the ever growing inflation but it is a significant work done considered the external factors.

In the changing political, social and economic context the labour sector too is changing. Now the wrong perception that only blue collar workers – or the workers doing physical labour can form trade unions is being challenged. Both kinds of workers who invest physical labour or mental labour are workers indeed and are forming federation under GEFONT affiliation. In this process bank, finance and cooperative employees’ union has been established. This has increased our reach to thousands of workers who are working in bank, finance and cooperative sector. Now it is our responsibility to make this union, this sector strong and work for the rights of the thousands of workers who work in this sector.

The number of workers going to foreign employment has increased in the last decade. At present thousands of workers are working in Malaysia and Gulf countries. Among them most are engulfed in one or other labour related problems. Therefore, we are working to organize Migrant Nepali workers. In some of the destination countries we have established relationship with local/national trade unions and made Nepali migrant workers members of their union so that we can fight for workers right there for our fellow Nepali workers. In this process we have effectively mobilized GEFONT Support Group and expanded it this year.

In the meantime we also continued our annual program of handing over awards. On the occasion of GEFONT 26th year of establishment Madhav Neupane and Nur Wangchu Sherpa Smriti Award was distributed. On the same occasion diligent children of GEFONT members- were given Gangadevi Smriti scholarship and Ganga Devi Smriti healthcare cash to support the GEFONT members who became victims of OHS and workplace accident.

Up until few years ago readymade garment was export industry for Nepal. But after Nepal lost the quota given by America to export garment the industry had gone down and many workers in this sector have lost their jobs. But we believe it is possible to promote the garment industry with decent working conditions. Therefore, we held interaction program with stakeholders of garment industry in Nepal. The good news is in the meantime America has resumed to provide quota for Nepali readymade garment. This can potentially play effective role in promoting readymade garment sector in Nepal.

Along with the encouraging fact that workers' rights and benefits have been safeguarded in the constitution provisions to some extent we still need to accomplish much more. On the occasion of May Day 2016 with our slogan “Transformation through Workers’ Power” we declare our activities/issues/agendas for coming year

- Lobby to pass the bill of and implement new labour law and social security act from the parliament as soon as possible
- Campaign to implement the workers’ rights provided in the constitution
- Lobby to address and incorporate the agendas of right to strike, formation of labour commission and 10% representation of workers in elected state bodies in the constitution
- Lobby to implement the minimum wage and emphasise on CBA for appropriate wage and benefits
- Lobby for an election of authorized trade union at the same day all over the country

GEFONT, working from a long time for the overall development and prosperity of working class appeals all the political parties, state bodies and international trade unions and organisations to support us in our endeavour. On the occasion of May Day we wish all the Nepali workers in Nepal and outside to further strengthen our movement and decidedly keep moving in this fight for our rights

On the occasion of May Day GEFONT expressed Best wishes to all

Long live May Day!
Long live GEFONT!

May 1, 2016
The first session of labour parliament organised by Joint Trade Union Coordination Centre (JTUCC) was inaugurated by President Bidhya Devi Bhandari, the first of its kind in history in the labour sector. The grand inaugural ceremony has left a glory in the trade union movement as the trade unionists have expressed. Right Honourable President herself was a member in the Women Department of GEFONT once upon a time.

During inaugural remarks President Bhandari appreciated the unity among the trade unionists that has given an important message to the world. As the President added, “Nepalese workers have given an important message that among differences of their own based on their beliefs and inclination, they can identify the common issues for the joint movement to get success.” The President wholeheartedly welcome the steps taken under the umbrella of the JTUCC.

President Bhandari also appreciated and thanked the GEFONT who played a crucial role during the rescue and relief distribution to the affected people due to earthquake last year. She expressed her belief that everyone will be sensitive enough for the management of the working sector during reconstruction period. President Bhandari further sought the necessity of the appropriate representation of the workers and summoned the concerned to pay attention towards this mission for the sake of the labour sector’s respect otherwise the working sector remains unutilized.

President Bhandari stressed the need of the alternative sources of the employment to be created within Nepal, though it is a challenging task, in order to end the situation of the growing trend of foreign labour. She reminded over the state’s role for the utilization of the remittances in the production sector sent by the Nepalese workers abroad. As she added, “It has been the urgent need to utilise the remittance in the production sector and the skill they gained to be verified for the authenticity for the sake of the Nepalese production sector and the workers.”
Today we are here to participate in the first ever meeting of labour-parliament, the representative body for working class. On this occasion of inaugural session of the meeting I would like to greet representatives from employers’ organisations along with all the invited guests, leaders and cadres of different trade unions, media persons, ladies and gentlemen,

Our country is hurting; Earthquake was natural disaster, unrest in Southern plain is a result of disagreement among us.

World of work is affected by both. According to specialists, in this period the country has already bore revenue loss of approximately 50 billion rupees. Hundreds and thousands of workers are without work and children are unable to attend their school.

We are in the proximity of humanitarian crisis. The compassion shared among people from North to South, East to West – our centuries old tradition of mutual help/compassion towards all irrespective of origin is now in question.

We respect Rt. Hon’able President as symbol of our national unity and faithful tower of our republic

We Respect Rt. Hon’able President as Symbol of Our National Unity and Faithful Tower of Our Republic!

Today we take pride that for the first time in history of Nepal, the head of the state is participating in the event of Nepali trade union. We feel this is the high respect given by the state to the Nepali working class; the sentence in constitution regarding “dignity of work”, “Labour cannot be contempt and to prohibit any such acts legal provisions can be made” has now been implemented.

Rt. Hon’able President,

The works of trade unions all over the world are similar, advocating for rights and interest of working class. Rights- as of provisioning in Constitution, Laws and Acts, and Interests- the benefits beyond the provisions, acquired from bilateral and multilateral collective agreements.

But process of forming trade unions may differ. In some countries there is single union; where, the agreements done by trade union with employers’ organisations becomes the law of the land. In some countries multiple unions compete. In some countries there is closed-shop practice- workers in the world of work have to have union membership whereas in some there is open shop; it is not compulsory to have union membership. In some countries workers with irregular labour relation to highly sensitive profession including armed force have trade union rights whereas in other countries trade union rights is for all the sectors apart from security agencies and public service.

We have organised our approach after 2006 peoples’ movement. Almost after the hard work of eight years, a unique structure -Joint Trade Union Coordination Centre (JTUCC) was formed.
The journey started by the two trade unions with an agreement to work together on the common issues and agendas has now come to a point where all Nepali trade unions, recognised by the law, come together to formulate common issues, common perspectives and consensus in decision makings. This Centre has now been transformed into a common institution for trade unions with different perspectives and sector. Therefore we say – Unity in Diversity!

- Declare union membership voluntarily and pay dues to the centre based on declared membership
- Allocate representatives according to the paid-dues. Irrespective of the numbers of representatives, the decisions will not be taken on the basis of majority/minority and agenda will not be accepted/rejected.
- Not entertain differences based on small or big unions but ascribe roles of the large and small trade unions with dignity as per the statue of JTUCC

These are some of the approaches we have applied.

We call our regular working institute Presidium, a main committee cabinet. And, the structure to review the work annually and draft future work is called labour parliament. Like democratic state has legislative and executive bodies to check and balance, we have provisioned these structures for our Centre.

Today to become member of JTUCC is matter of pride for Nepali trade unions and trade unionists; and JTUCC has become subject of interest for international trade union movement. To become its President or General Secretary is to be a representative of working class recognised by the state who represents the Nepali working class in the country and at international forum. The labour parliament meets annually, forms a team of President, General Secretary, Women Committee Coordinator and Secretary to lead the Centre for a year effective from January 1.

Like this we have tried to manage multiple voices into one by establishing a unified institution of the trade unions as per Nepali reality to address the demand of workers belonging to the same economic class. This way, we have seen multi trade unions emerged due to a system of multiparty democracy based on divergent ideologies. Therefore, we call this structure a unique structure.

Her Excellency President,

We work at both, the professional and the policy level. Therefore we have some unfinished agendas with the Government:

- The Bill, assuring Social Security system to protect all the workers, formulated in a trilateral agreement of Government – Employers and trade unions has finally reached the parliament. We are hopeful that it will be adopted at earliest possible.
- The bill to amend the labour law formed by tripartite agreement to make the world of work flexible in employment relationship is yet to be presented in parliament.
- The minimum wage has to be revisited and implemented from this fiscal year is yet to be done.
- Trade Unions are willing to work hand in hand with the State in reconstruction post the earthquake. From managing the workers in reconstruction to monitoring the ongoing reconstruction work at village level, trade unions want to be involved. Therefore, JTUCC wants Trade union representation in the Authority.
- 10% representation from working class in several state mechanisms in par with the employers.
- Nepalis should not be forced to go to foreign countries in search of employment; there should be sufficient job opportunities in the country. And, their earnings - the remittance should be invested in productive sectors.

Rt Hon’able President,

We like to call these agendas subjects of decent work. In our understanding decent work is-

- Such a pay which enables the workers live a fair life
- Such a work where there is no discrimination, where every worker has equal opportunity to strengthen his financial condition
- Such a workplace, which is appropriate and safe
- Such an environment where trade union can be formed, worker can freely express her/his opinion regarding work
- Such a state, which has Social security mechanism in place to protect the sick, weak and old workers and can provide welfare for all victims in difficult condition

This is probably my last address as a President of JTUCC. Therefore I would like to express gratitude to Rt Hon’able President on behalf of our 20 hundred thousand members. As President of JTUCC, I would like to welcome Hon’able Minister for Industry, Members of legislature-parliament, and invited guests and with your permission conclude my address.

Thank You!

Bishnu Rimal
President
JTUCC, 2015
She added all the workers need to be protected under the social production system and the workers to be motivated towards this end. President Bhandari reminded over the constitutional provision of the right to just work practice, social security based on the contribution, collective bargaining. President Bhandari said that the constitution has guaranteed the rights of both the employers and the workers making them equally responsible to each other. The President added that the new constitution thus has institutionalized the struggle for the rights and now it is the high time to involve in development of the nation. Addressing the Workers Parliament GEFONT President Bishnu Rimal said that the working sector affected due to the earthquake was further aggravated due to the unofficial blockade by India.

Quoting the experts’ view, Mr. Rimal said that the blockade caused the loss of nearly NRs 50 Arab as well as millions of workers happened to lose their bread and butter. Similarly, children were deprived of continuing their education. Expressing glory over the gracious presence of the President in the Workers Origination, the first ever held event, GEFONT President Rimal said, “This is a respect to labour as enshrined in the new Constitution.”

He exemplified world’s trend of trade unions, somewhere single union, somewhere multi-unions in competition, whoever, the common cause is to dedicate for the workers entitlements and rights. He said Nepal’s unique composition of the JTUCC for which more than 8 years of hard work had to be invested. Mr. Rimal added that the concept of JTUCC was initiated to work collectively on the issues of consensus that was started from the two different trade unions and now all the trade unions have been in one place to work collectively on the common issues, and collective vision. The uniqueness of the JTUCC is that there is no dispute in the name of big or small trade union, which is its uniqueness.

On the same occasion, Mr. Rimal complained of the social security bill not passed by the Legislative Parliament which has been drafted by the consensus of the government, employers, and trade unions. He expected the bill to be passed in the near future which has ensured the social insurance plan of the Nepalese workers. Mr. Rimal demanded the concept of JTUCC to have representation on behalf of the union in the Nepal Reconstruction Authority (NRA) which can fulfil the union’s interest to co-work with the state. He further highlighted the demand of the JTUCC, that is, 10% representation of the workers in the political structure of the state.
Training and orientations to workers on various subjects of their concerns are key priorities of GEFONT since its establishment. It was back in 1993 when GEFONT first launched a study circle method to train workers on Nepal’s trade union movement, trade laws and other subjects. Later, GEFONT launched a campaign of mobile trade union school and got a new experience on that front. The course of building capacity of fellow workers did not come to a stop, rather it grew up day-by-day. Inspired by lessons of the past, GEFONT then developed comprehensive curricula on labour education and has been implementing a massive scaled training and orientation program. It is a matter of pride, one the trainers of our mobile school, Ms. Bidhya Devi Bhandari, has become the President of Nepal. Run in nine places in the Kathmandu Valley, the mobile school camps were named as ‘True Camping’.

The campaigns were run to train workers on topics such as collective bargaining for democratizing labour market, labour law, trade union rights, and social security. GEFONT exhibited a new dimension of conscious efforts in the South Asian trade union movement by advancing on the regular trade union schools.

Following five topics are included in the school’s labour education curricula:

- **First day:** Basic concepts on trade union
- **Second day:** Introduction to GEFONT and its program
- **Third day:** Labour law, union management, and experiences of senior unionists
- **Fourth day:** What is politics? What are political parties? What are society, social groups and classes? Socialism, and political thoughts
- **Fifth day:** What is socialism and why is it necessary? Socialism, trade union movement and political in Nepal

On the matter of labour education, the sixth national convention, held in April 2015, decided for launching of regular trade union schools. Laying foundations for trade union schools, particularly implementing the congress’ decision by developing physical infrastructures and school curricula as well as preparing expert trainers, was not an easy task. However, GEFONT kept on its determination and made that decision a reality. At the first place, the education specialist of Australian Trade Union, Deborah Nicholas trained 52 trainers who were selected from GEFONT’s secretariat and member unions.

Regular trade union school formally started in January 2015, and altogether 18 classes have been accomplished with 30-35 participants in each class. Almost 560 workers have joined the classes, at least 33% of them women workers.

The school has also adopted a new format of sharing and listening to experiences from senior trade union leaders. These experience sharing platforms proved to be encouraging for younger generation trade unionists to be more actively involved in the movement. At least a dozen of senior unionists have so far shared stories of their journey.

Even though the devastating earthquake of April-May 2015 and subsequent inhuman Indian blockade hindered the school, it has now resumed. And, we hope that this initiation will contribute to strengthen Nepal’s trade union movement, unite it further and sharpen its intellectual capabilities.
The working class people have been fighting an end to their problems for a long time. Some of the problems they face cannot be foreseen and difficult to manage. The workers themselves have somehow solved their some simple problems through the savings of their own trade union, federation or cooperative funds. But they do not have support for emergency or unforeseen problems. If initiatives are not taken now, it will be too late to be prepared for emergency. With this realization, a GEFONT Solidarity Fund has been established to promote ‘One for All, All for One’ comradely feeling among GEFONT family and support the workers during the time of emergency. Bishnu Rimal, Chairperson of GEFONT declared the establishment of the Fund of NPR 10 million on the occasion of silver jubilee of GEFONT. The Fund will support the members of trade unions and their families in the time of emergency.

Functions of Solidarity Fund

GEFONT has established funds of different natures and been supporting its members and their families in the time of difficulties for a long time. To name some are the Emergency Support Fund and Women Social Support Fund. These funds are supporting women and the members affected by the natural disaster. But they are not enough by their size to provide support during the time of big disaster when the workers are victims of serious diseases, among other problems. Health and education services are beyond the reach of the workers. Their income alone cannot meet their needs as there is no social security for them. Health service is already expensive. More expensive is the treatment of cancer, kidney and heart diseases that the workers cannot afford. The families who have lost their members in accidents, victims of flood, landslide, fire and other disasters are living their painful lives without proper treatment let alone other supports for them. To support them in such a difficult situation, the Fund is put in place for the workers and their families who are in dire need of and cannot afford even basic social services when needed.

Operation of the Fund

The Fund will be managed jointly by the GEFONT and its member unions. The management committee members will be selected from the members nominated by the unions and GEFONT. Fund management committee will comprise equal members from both the GEFONT and its member unions. The management committee will be elected and/or selected after the money is deposited to the Fund and the fund management guidelines are prepared. It is expected that the Fund will be able to support the workers and build their trust on the organization.

Source of the Fund

The national committee of GEFONT decided in its 83rd meeting that the amount of the Fund would be of NPR 10 million. A sum of five million will be collected from the member unions and its committees where remaining five million will be collected from the national committees of GEFONT.

The Fund would come to operation after at least 200 local committees deposited the amount to it. But as of now 270 such committees have already deposited their share to it and the national committees of GEFONT also put its share in it. Altogether the Fund has already received NPR 10.18 million and it is in the final stage of operation now.
GEFONT’s Foreign Workers Committee is responsible for the study, research and settling the legal problems of the Nepalese workers in foreign countries involved in the different working sectors. The Committee has been furnishing the recommendations on the effectiveness and challenges of the legal provisions related to the foreign employment. As observed precious years too, Foreign Workers Committee received various cases and personal complaints by the workers abroad. The GEFONT Support Groups in Malaysia, Saudi Arab, Lebanon, South Korea, Qatar, and Dubai have been actively involved in settling the disputes. This year a total of 134 individual applications from different 96 places were received. Out of them 13 cases are in pending and all the reset have been settled by the attempt of the GEFONT’s Foreign Workers Committee. Main problems found in those complaints are the following:

- To return the person and compensation forced to work against the contract.
- Work to be done in another company against the agreement made with the recruiting agency inside Nepal.
- Malaysian government arrested the worker involved in another company against the contract.
- Worker out of contact due to employer not permitted to be in contact with the family members after the 15 months of the departure from Nepal.
- The recruiting agency and the agent not involved the worker in the same company and the work as agreed.
- Cash cheated by the employers or other cheaters.
- Threatened to kill in the abduction manner, made captive, sent with fake documents of works in the 5 star hotel or casinos.
- No payment and facilities given as per the contract, hands and legs broken due to falling down from the top floor while on work. Had to manage the treatment expense and return to Nepal by own.
- Compensation from the recruiting agency who made a fake driving license and sent to Dubai by taking NRs 300,000 and had to return without involving in the driving work.
- Passport to return from the company/Recruiting Agency.
- Trying to send for different works against the will but denied to return the passport.
- Compensation as involved in different works against the will and expelled from it after 26 days and had to return Nepal without work and money.
- Company did not pay salary in Malaysia.
- Patient in comma to be returned in Nepal.
- Death but no payment made like insurance, and by the Foreign Employment Promotion Board.
- Compensation for the accident in Malaysia but no treatment expense made by the company, had to return Nepal without treatment and money.
- Kidney failure.
- Compensation by board and insurance due to return Nepal as caught by sugar.
- Rescue due to company involved in work without extending visa and police arrested.
- Taken more money for sending Malaysia.
- Taken to Dubai on visitor visa making false promise to involve in hotel waiter. Per person NRs 250,000 had to pay. Returned to Nepal after two months without any work and pay.
- Compensation against worker disappeared while in domestic work and the legal action against the perpetrator.
- Rescue for the woman trafficked.
- Threatened by the recruiting agency.
- No money paid against 10 hours of everyday work. Involved in work after completing the contract.
- Dead body to return Nepal and the claim for the insurance.
- No reason of death found so the cause of death to be investigated and the compensation against that.
- Sent to Saudi against the agreement to Kuwait. Able to come back from Nepal by the help of GEFONT Support Group.
- In jail due to being illegal and request for returning Nepal.
- Work as per the contract.
- Rehabilitate to Nepal from Oman.
- Return to Nepal as being in custody after mental disorder.
- Out of contact for 5 years.
- Return to Nepal who is in Lebanon for three years.
- Dead body to return Nepal and the compensation.
- Return to Nepal as agent sold in Syria.
- Return for a worker in jail due to different visa.
- Compensation and insurance for the injury.
- Paid money more than required (Cheating).
- Unfit medically and returned to Nepal after 3 months.
- Passport to return from abroad.
- In jail due to accusation of killing a friend.
- Return to Nepal as being sick and remained without treatment.
- Disappeared for 9 years.
- Return to Nepal by releasing from jail.

In the meantime, four women lost in Lebanon and other golf countries are to be identified by the GEFONT Support Groups. Women sent to Syria and Bagdad, found in Saudi Arab, and in other places have been rehabilitated. Women in golf countries have been found insecure and unprotected. In Malaysia incidents on-duty deaths, cases of injuries, no salary, high cost deduction for levy, food and accommodation have been identified and settled by the GEFONT Support Groups. The situation in Malaysia is further miserable as the growing incidents of deaths due to rat bite, no treatment against longer period sickness, at least 12 hours of work for earning 900 Ringgit, no work as money spent a lot during preparatory phase in Nepal and so on. GEFONT sources have identified 1517 such cases from Malaysia alone. Many of them have been settled now.

In Saudi 243 cases have been identified by GEFONT support groups. Out of them, many have been identified as salary not given by the company, unattended due to the closure of the company, loss of the women workers as housemaids, replaced by the undocumented cheap workers from other countries.

In Lebanon, cases like suicidal, killed by friend, returned to Nepal, no salary, turned undocumented due to the expiry of the passport, no leaves, ran away due to the hard work, illegal works, and so on have been identified. From Dubai, 10 cases have been identified and settled by the GEFONT Support Group. Similar problems identified in Qatar, South Korea were settled by the Support Groups.

GEFONT pays Homage to of Bro. Khalid

January 26 – GEFONT mourns on the sudden demise of Bro. Mohd Khalid bin Atan, President of Malaysian Trade Union Congress (MTUC) as well as President of Timber Employees Union Peninsular Malaysia (TEUPM). Bro. Khalid passed away due to the falling accidently in his bathroom at the age of 62.

GEFONT secretariat meeting pays homage to Bro Khalid and heartfelt condolence to the bereaved family! Sending condolence letter to MTUC.

The letter says, we remember Bro. Khalid as a most active and dynamic leader of Trade union movement of our region. In his leadership, Building and Wood workers International Asia Pacific started to organize Nepali Migrant workers in Timber sector of Malaysia. As a President of MTUC, he expressed his fully commitment to work for the protection of Nepali migrant workers and also signed a Memorandum of Understanding to organize Nepali migrant workers in Malaysia during his last visit in 2014.

Paying homage to Bro Khalid and heartfelt condolence to the bereaved family! The letter further says, On behalf of GEFONT leadership and entire members accept our heartfelt condolence and convey deepest sympathies to his family members.

On January 2016, Mr. Bishnu Lamsal, secretary General of GEFONT handed over the letter of condolence to family member of Mr. Atan during his visit in Kulalampur.
GEFONT Support Group Malaysia handed over a memo to HE Ambassador of Nepal in Malaysia on May 2, 2016

The memo reads as following:

Nepalis have continuously contributed to the economic development of Malaysia. Nepali diaspora is the second largest in Malaysia with the population more than 8 hundred and 50 thousand; and as we all are aware they are living a very hard life. Obviously it is not possible to find solution to all the problems faced by Nepali migrants all at once and right away but we believe we can resolve the problems if we are in constantly lobbying and in dialogue with all the stakeholders.

We would like to take this opportunity to inform your Excellency that to resolve the problems of the migrant workers Nepali Migrant Workers Association, Malaysia was established in July 23, 2005. Nepali Embassy is working to solve the problems of the Nepali migrant workers but the general public opinion is – it is not enough. Therefore, for effective role of Nepali Embassy in coming days to safeguard Nepali migrants’ rights, Nepali Migrant Workers’ Association proposes following regular actions.

1. Presence of the Embassy should be further strengthened, effective and farsighted
2. Process of filing case should be clear and well managed and the case registration number or receipt should be made available to the individual or the organization
3. End the lop-sided increment of the levy and lobby with concerned department of Malaysian Government to implement the salary increment.
4. Encourage the Malaysian government to execute and implement the bilateral labour agreement done between Nepali and Malaysian Government
5. Embassy should more than help draft only the letter for filing the case, Embassy representative should accompany the victim to register the case in the labour court and Embassy should take the authorization till the case is heard.
6. Visit prisons regularly to keep updates of the convicted/accused Nepali migrants’ situation. Regularly work to release and send back to Nepal the workers who are in prison for minor offence or because they do not have sufficient money to buy tickets.
7. Embassy should establish a shelter house to rescue the migrants who are victims of violence, rape and unattended ailing workers or those who have been left to themselves uncared for after accidents.
8. Embassy should check and if the company, the type of work, benefits and service are not according to the agreement then concerned manpower agency should be held liable as per the law to give justice to the victim.
9. Embassy should take steps to make sure the cases of untimely death are properly investigated, bodies post-mortem, families get insurance and compensation, and bodies sent back to Nepal to the family after investigation and post-mortem.
10. Embassy should regularly visit and monitor the camps of Nepali migrant labours and lobby for the necessary infrastructure and facilities if camps do not have it already.
11. The companies which provide 1 year work permit to workers who fail health check-up (within 3 months) and those who make workers work as bonded labour denying them ID card should be made to make the ID cards available to the workers and such companies should be blacklisted.
12. Embassy should recommend the Nepal Government the names of the manpower agencies which are operating illegally to be held liable and penalized as per the Act on human trafficking.
13. The Embassy should implement the criteria prepared by Malaysian embassy based on the labour agreement done between Nepal Government and Malaysian Government on domestic women workers
14. Interact, hold meetings and discussion with concerned Nepali organisations when necessary.
15. The victims who approach embassy for justice should not be denied by the Embassy. Also, the Embassy should put an end to the abuse of women victims by Embassy staff; such staff should be investigated and penalized for their wrongdoing.
16. Prioritize the cases recommended by Nepali Migrant Workers Association- GEFONT Support Group and lobby for its law proceedings.
17. Embassy should help the workers get back to Nepal who are working illegally in Malaysia not just by providing travel document but also helping they get through immigration finger print.
GEFONT Advocates for Safe Foreign Employment and Justice for Victims

GEFONT is working through its Support Groups in different countries to support Nepalese workers for their rights at workplace. More than four million Nepalese are migrated for employment abroad. The Support Groups are active in the countries including Korea, Hong Kong, Malaysia, UAE, Qatar and Lebanon and supporting Nepalese employers when needed.

Even at home, GEFONT is supporting the victims of foreign employment in their fight for justice. As a part of it, GEFONT received 134 applications seeking support from the victims this year. Altogether 96 cases were prepared out of these applications and carried forward for redressal. Many of them were solved; only 13 cases are under consideration of concerned authority now.

Many of the applications were related to, among other things, the jobs not providing by the employers as per agreement, request of support by the workers to return back to their home. They also sought support to refund their money from the agents and compensation from them and deal with illegal arrest and fake documents by the companies.

Lack of medical treatment even for those who were injured in accidents at workplace, fake assurance by the agents to provide the job as agreed, seizing of passport by the manpower company and not returning it to its owner for a long time, late or no payment of salary by the employers were other issues raised through the applications.

Many Nepalese migrated abroad for employments are in coma for a long time. Applications were also received from the relatives, whose members are injured or in coma, demanding for bringing them back to their home. If a worker dies during employment in abroad, his/her families are entitled to get some money including the insurance money as compensation. But there are many such cases where the rightful claimants are getting it. So applications were also received from the victims whose such cases were not seriously taken care of. They have asked for support with GEFONT to address these problems. Applications were also received demanding support for rescuing the women who were trafficked in the name of foreign employment. GEFONT also received applications from the relatives of four women who were "disappeared" in foreign countries. GEFONT rescued them who were taken to Kuwait as domestic workers first and then trafficked to Arab, Iraq, Syria and other countries.

As many as 1,500 applications were received by the GEFONT Support Groups in many countries abroad. All these applications were about the accident at workplace, deaths or mutilation of bodies of workers because of the accidents, lack of timely payment of salaries, medical treatment and so on.

Case 1
Ashika Tamang of Sindhupalchok received a labour permit and went to Kuwait as domestic worker. Later she was trafficked to Saudi. The case was brought to the notice of Raju Tamang, Coordinator of GEFONT Support Group in Saudi. The Group did the needful, rescued her and sent back her to Nepal. She filed a case against the agent who is now under arrest. Similarly GEFONT also rescued Suna Rana of Syangja who was trafficked to Oman.

Case 2
Ishwari Nepali of Sindhupalchok was taken to Kuwait three years back. When her family did not know about her whereabouts, they filed an application at GEFONT seeking support to find her. Upon receiving the application, GEFONT started her search and rescue with the support of Embassy and found her in Saudi Arabia. She was then brought back to Nepal. Her body was full of injuries because of harsh punishment she suffered at work place. She did not get any salary for her work there. Still she was happy for being rescued. ‘I am alive and I am back to my home now. This is a big thing for me,’ said Ishwari.
June 08 (Geneva)-Nepali trade union movement under the banner of joint trade union coordination centre (JTUCC) has organised a Trade Union Forum in Geneva today (June 08, 2015). Presiding the forum GEFONT president Cde Bishnu Rimal, who is the president of JTUCC as well, welcomed to all the participants in the Forum.

"There are two major points we want to share with our sister and brothers of international trade union family here. First- current status and the way your Nepali comrades are forging unity in trade union movement through the unique platform- the JTUCC; and second, we want to brief you aftermath of killer quake which damaged us terribly," president Rimal said.

JTUCC presidium member, ANTUF president Shalikram Jamkattel was given floor to brief on current context of unity process.

"Realising unity in diversity, we in Nepal has institutionalised one step further the JTUCC, electing Cde Rimal as the first president of our unique platform" Cde Jamkattel underlined the historical background, objectives and the plan of action of the JTUCC.

Just after screening a video clip of killer quake prepared by GEFONT, NTUC President Khila N Dahal, who is the another presidium member of JTUCC, made an presentation on aftermath of the devastating quake.

He explained, how Nepal was going through a difficult period in the aftermath of a series of devastating earthquakes.

On 25 April this year, with the epicentre in Barpak- Gorkha district, with an estimated magnitude of 7.8 on the Richter scale, the devastating earthquake took place. Not a single house remained safe in the villages, along with damages in other 14 districts. It was followed by a series of aftershocks bringing further destruction. The third major quake of 12 May with an estimated magnitude of 6.8 on the Richter scale, although slightly smaller than the first one, it was no less devastating. All together there have been around 300 aftershocks noted up and above 4.0 magnitude in Richter scale. It provoked a number of landslides that continued the destruction.

Member of trade union delegation and the former NTUC prez as well as former Dy member of ILO GB Laxman Basnet added on the impact and its seriousness.
Cde Binda Pandey, one of the Governing Councillor of GEFONT, who is currently deputy member in ILO GB explained psycho-social problem caused by the quake.

Addressing the Forum ITUC Deputy General Secretary Bro Jaap Wienen explained pros and cons of post disaster societies. Asking to pay homage to the victim with 1-minute silence ITUC leader encouraged his Nepali comrades- “You will definitely rise!”

“Just few minutes after the quake, I was in contacted with our colleague in Nepal. I am proud they came in action immediately to rescue the victims” Bro Jaap said- “I am proud with our ITUC family, many of the ITUC members reacted positively”.

He said- it shows strong determination, and we support Nepali unions for their call on reconstruction and job creation; to make a new Nepal with decent work!

“Decent work is indeed as the fundamental rights” bro Jaap said- it will change sufficiently the scenario. He further said- “ITUC is fully prepared to assist you, in coming years planning a global solidarity meeting in first week of September in Kathmandu.

He urged ILO to support Nepal for job creation and decent work in this is period of difficulties. He thanked the employer’s and government’s representatives who were participating in the Forum. “You can count solidarity, and we can count your unity!” ‘ITUC Dy GS appreciated Nepali union’s unity effort.

Representing DG from the chief of his cabinet Mr Shengjie Lee was in the programme, Ms Nishimoto, Director of ILO ROAP was in the Forum to extend her solidarity.

ILO ACTRAV, Director Sis Maria Helena was another dignitaries, were addressing the Forum. “Nepal is a good example for trade union unity. And also a good example to overcome traumatized situation.”

ACTRAV director said- “We all have an eye on Nepal.”

“Solidarity is a strong weapon, continue the JTUCC process. You can play a very important role to prepare good strategic action of Nepali workers.”

From the GUFS various senior officials extended the solidarity. Bro David Boys, Deputy GS of PSI, Sis Christy Hoffman, Dy GS of UNI Global union, Bro Mac Urata of ITF, Pat horn from Street net international, Elizabeth Tong- GS of IDWF were among them. Industry ALL GS Jyarki Raina has deputed his communication officer Alexander Ivanou to cover the event.

From TUSSO Eva Tabor of LO/FTF council (Denmark),Bert (WSM, Belgium) and others explained their solidarity work.

The leaders of the various National Centres including HMS-India, CUT- Brazil, CGIL-Italy, KSBSI- Indonesia, Ghana, ACV CSC (Belgium), Argentina, Sri Lanka put query on the situation. With final remark of GEFONT CDC chair Cde Mukunda Neupane the Forum came to an end.

The Nepali delegation was teemed up with Cde Neupane, Bro Laxman Basnet, Cde Binda Pandey, Cde Khila N Dahal, Shalikram Jamkattel, Cde Mohan Swar, GEFONT Veep Bidur Karki, Sec Gen Bishnu Lamsal, DFA Secretary Ramesh Badal and NTUC’s Yogendra Kunwar.

“We want to pay our sincere gratitude directly here to all of you for your generous solidarity and support in the time of difficulty” Cde Rimal declared conclusion of the Forum with this note.
In Crisis, There Used To Be Emotional Blackmailing, Let ILO Help Ensure Decent Work-Conditions!

Madam President, Fellow Delegates, Observers, Guests, Ladies and Gentlemen!

Four years back today on 9th of June, I had a privilege to address 100th Session of International Labour Conference. I was congratulating ILO, with high hopes, dreams and to some extent, proud message of good initiatives that had just begun in our country for the betterment of Nepali world of work.

Today, exactly four years after I am here, to express this august Assembly with heavy heart, an inconsolable grief and immeasurable anguish of Nepali people, who lost all of sudden nearly 9,000 their dear ones by a killer quake which hit my country terribly; first on April 25 and then after again and again many times! Injuring nearly 22 thousands people, the devastated quake damaged the lives and dreams; cities and villages of entire Nepal. The deep trauma within young and adults, children and aged persons is unimaginably serious. These days most of Nepalis feel the ground below them is dancing and moving! A small cracking sound is enough to scare them, their nightmare is unashamedly loaded with mass-funeral pyres, cracked and perished hills and flattened houses!

Seems to me, many of you have visited my country! I assume, there are Himalayas & the hills; UNESCO preserved old- heritage and touristic villages in your sweet memory! Unfortunately, I am here to tell you, many of our heritages have levelled into ground; touristic village is wiped out from the existence. This year, the Mt Everest was forced to deny welcoming thousands of her summiteers and is crying on death of many climbers from the avalanche!

Standing before you madam president, I am here to share our pains and to convey our gratitude to the generous solidarity of international community on behalf of representative of entire Nepali working class- the (JTUCC) and my own National Centre, the (GEFONT)!

The aftermath of the devastating earthquake has caused several adverse effects in my country:

- Half of the population is affected; many of them forced to live under open sky.
- Some 590 heritages faced damage along with several Temples, and nearly 1,000 monasteries
- Hospitals and above 7,000 public schools are damaged- our children are looking annoyingly to tatter huts as their newly built schools
- Total loss is 25-50 per cent of our GDP

Relating myself with the report of the Chairperson of the Governing Body and of the Director General, I recall opening remarks of Director General, where he indicated the latest World Employment and Social Outlook Report. The report says- global unemployment reached 201 million in 2014, over 30 million higher than before the start of the global crisis in 2008.

We, in our country can hardly provide jobs to 100,000 out of 400,000 job seekers every year entering into the world of work, remaining are silently pushed to the market in Malaysia, Korea and GCC countries. This killer quake has created further serious question against existing available job in my country.

Ensuring wages, working time, maternity protection and occupational safety and health is at the heart of the ILO’s mandate; and I believe ILO is fully aware on such element of labour protection which does not currently cover many types of employees.

The Director General has mentioned- “The issues of jobs, equity, sustainability, human security, labour mobility, social dialogue, which need to be tackled in a future of work initiative, are almost by definition the key policy issues of our time”

There is nothing to disagree!

As a worker we feel, without right to strike, we all are slave! However, the unnecessarily prolonged debate in ILO GB on it has frustrated us very much! Whatever argument there may be, how can we compromise on such a fundamental rights?

I am keen to learn how the expected high-level commission to the ILO’s Centenary Conference in 2019 would prepare its report on the Future of work initiatives- “work and society; the organisation of work and production; decent jobs for all; and the governance of work”.

Like a phoenix bird, emerged from the ashes, we Nepalis have high optimism- “We will Rise no doubt!” To this, we are discussing on 5-R strategy; namely Rescue- Relief- Rehabilitation- Resettlement- and Reconstruction! There is saying in Nepali- “Sakiyeko Hoina, Bhatkiyeko Matrai Ho!” (it is not destroyed- just damaged!)

Thus, we trade unions have fixed a theme- Reconstruction: By creating decent jobs!

- We urge- With International Support and Our own plan; Let the State lead and every Nepali rally around!
- In crisis, there will be emotional blackmailing. While creating jobs, let ILO help to ensure decent work-conditions!
- We need solidarity from every corner to rebuild our ancient and naturally beautiful country. Let me tell you over 80 per cent of our tourist destination are still safe. Much you visit our country the faster it will help to heal wounds of our all season smiling people! Visit us!!

Let me wish everyone a grand success of the 104th session of international labour conference!

Thank you!

Bishnu P. Rimal
Workers’ delegate - Nepal
UN Building, Geneva
Switzerland

Date: June 9, 2015
Labour Dispute and Resolutions

1. **Court orders PROGOKM Industries Pvt. Ltd to reinstate workers**

   Altogether 365 workers, including eight women workers are working in the PROGOKM Industries Pvt. Ltd located at Bahuari of Bara district. The women workers were selected through an open competition as per the call for application published by the industry itself. But when the time came for their permanent appointment in line with the Labour Act, the management of the industry then took an abrupt decision and expelled them all from the job on July 17, 2014.

   With help from the trade union in the industry seven of the women workers – Shanti Shrestha, Netra Kumari Rokka, Maya Singh Chhetri, Ranjana Shrestha, Dashimaya Tamang, Aalok Kumari Khatri and Durga Adhikari – had filed a case in the Labour Court against the forceful expulsion and demanded reinstatement in their jobs. On April 22, 2016, the court ordered the industry management to reinstate seven women workers in their jobs and provide salary for the entire period of expulsion.

2. **A complicated labour dispute came to an end**

   The management of the Highland Distillery Pvt. Ltd., Naikap, Kathmandu had punished 33 workers against the Labour Act and unilaterally closed the industry. Even though the Government of Nepal declared that the unilateral closure of the industry was illegal, the management still continued its step, and then disappeared for the past two years without paying remunerations to the workers. In such a backdrop, the workers filed a case against the management at the Labour Court. With GEFONT’s initiation, the dispute got resolved in January 2016 which was possible by providing remunerations, concession, and compensation to the workers as per the provisions of Labour Act and regulations.

3. **Compensations provided**

   Total 24 tourist guides were killed in the avalanche that occurred in the Annapurna Mountain Range due to cyclone Hudhud while they were involved as guides for mountaineers on September 21, 2014. However, their survivors were not provided with any kind of compensation by the umbrella organization of trekking sector companies, the Trekking Agency Association of Nepal (TAAN). UNITRAV helped provide Rs two hundred thousand and fifty to the family members of the diseased tourist guides.

4. **Compensation and Medical Support**

   One trekking sector worker had to lose a finger of his hand due to snow when he was in the Annapurna Trekking Expedition through the Dreams Destination Treks, Lazimpat, Kathmandu. However, against the provisions of Labour Law, the company refused to provide compensation and medical treatment support to the victim worker. UNITRAV engaged in this case and was able to facilitate the provision of Rs 573,570 cash to the worker in April 2016.

5. **Gorkha Brewery Pvt. Ltd. implemented order of the Labour Court**

   The management of the Gorkha Brewery Pvt. Ltd. located at Mukundapur of Nawalparasi district, had been compelling workers involve in labour. This act was against the standard provisions of the Labour Act. The company management continued to neglect the demands of the workers for their permanent appointment. Rather they went to the Supreme Court by challenging the orders of the Labour Office and Labour Court, which had given decisions in favour of the workers. The Supreme Court’s verdict also turned out to be against the management, without any surprise. The court stated that the company had to make permanent appointment to 27 workers. Again, the management continued to be indifferent to the Supreme Court verdict for a long time. There was no other option for workers than putting pressure on the management through movement; so they staged sit in programmes in front of the industry premises for 18 consecutive days. At the end, the management compelled to fulfil the demands of the workers.

6. **Agreement between Trade Union and TAAN for Insurance of Workers**

   A longstanding labour dispute since 2009 between businessmen and trade unions in the adventure tourism sector has come to a resolution in 2015. Trade union organizations, including UNITRAV had been launching a struggle by putting forth a five-point demand that included issues of medical and accidental insurance, increment in pay-roll, establishment of a welfare fund, and provision of one tourist one Nepali guide, among other things. These demands were imperative to ensure clear provisions for the benefit of workers and to make this sector decent and dignified. As a result of almost seven years of untiring struggle, an agreement has been reached with TAAN in July 2015. According to the agreement, trekking guide, assistant guide, cook and porter will each get an accident insurance up to Rs one million and medical insurance of Rs 250,000. The demands of pay-roll increment and establishment of a welfare fund have also been fulfilled through this agreement, which also introduced TAAN’s liability to workers in addition to the benefits to be provided by respective employers.

7. **Minimum wages reviewed**

   Wages of workers in the informal sector gets reviewed every two years. As per provisions of the Labour Act 1992, a
mechanism called Minimum Wages Determination Committee was formed under the Chairmanship of a Joint Secretary of the Ministry of Labour and Employment. The main purpose of the committee, which had tripartite representation, was to review wages of workers and employees in the industry, tourism and service sector. As the Committee failed to determine minimum wages within the given 90 days of deadlines, the Government of Nepal came up with the minimum wages ceilings in line with the Labour Act; as such the monthly wage has been determined as Rs 9,700 out of which Rs 6,205 as basic wages, and Rs 3,495 as dearness allowance. Daily wage rate is determined as Rs 395.

Accordingly, wage rates of workers in tea estates have been reviewed in consensus between employers and trade unions. For the period of July 2016 and June 2017, daily and monthly wage rates are Rs 228 and Rs 6,375 respectively. Additionally, daily allowances of Rs 30 have been determined for workers involved in security and tea refinement works. The Government has announced that the daily and monthly wage rates will be Rs 253 and Rs 7,075 respectively from July 2017.

8. Memorandum Submitted to Air India

Workers, employees of Air India have submitted a 9-point memorandum to the company’s management. There have been rounds of discussion on the demands submitted through the memorandum in January 2016, there has been no agreement reached by the parties. Whilst employees want to get their demands fulfilled by means of mutual dialogues and not by hindering the operations of the airlines, the management has turned out to be indifferent and ignored the positive approach upheld by the employees. Such an ignorance of the genuine concerns by the management has sowed the seeds of dissatisfaction amongst the company’s employees.

9. Ultimatum given to Yeti Airlines

Employees of Yeti Airlines have given a 30-day ultimatum to the management to fulfill their demands. This ultimatum has come out in the backdrop of the management’s persistent ignorance on the demands submitted by the employees.

10. Workers at Bhrikuti Pulp and Paper did not get wages

Manager of the Bhrikuti Pulp and Paper located at Gaindakot of Nawalparasi district, Mr. Diwakar Golchha, has not given wages to the industry’s workers since February 2012. He has been ignoring series of consensus reached with the workers in regards with the wage payments. Gone too far, he has even closed the industry without the permission of the Government of Nepal.

This was not the single case wherein Mr. Golchha has stood against the workers. He has not given wages to the workers of Nepal Waders Limited located at Parawanipur of Bara district. Workers there have not received wages for last three years. Golchha has also closed this industry without the Government’s permission.

11. Campaign for Strengthening Organization and Expansion of Membership

Every year, GEFONT has been launching long-term campaigns for strengthening organization structures and expanding membership of the Federation. Short-term campaigns and day-to-day operations are run by GEFONT’s Zonal Committees. Therefore, mostly affiliate unions were mobilized for the long-term campaigns which focused on forming organizations and creating new memberships in areas where unions did not have a strong reach. Affiliate unions, in coordination with GEFONT Zonal Committees had identified the areas of focus and prepared action plans to implement throughout the campaigns. These campaigns lasted for two months this year.

12. GON Forest Policy with Initiation by Trade Union

GEFONT has been expanding its organizational reach in all areas of employment. Tapping into available opportunities and mainly targeting areas which have not come under the purview of the Federation’s work have been the key approaches of this outreach strategy. One of the new sectors – Forest sector – is area wherein the situation of wages and other benefits, nature of work and working hours, among other crucial aspects still remain uncertain. Workers are left out of any provisions for minimum wages, leave and holidays, and provision of medical benefits. GEFONT’s affiliate CUPEC-Nepal has been active in forestry sector and gaining success in organizing workers in this sector.

Currently, 18,000 community groups have managed 1.7 million hectares of forestry that benefits 2.2 million households across the country. Through 42,000 hectares of forest area, positive contribution has been made by approximately 7,000 kabuliyat forest groups for the livelihood of 75,000 households under poverty line. Almost 0.6 million households have been benefiting from 54,000 hectares of partnership forest in the Tarai region itself. 34,000 square KM area has been allocated/protected for biodiversity conservation. Approximately 627,000 local people are benefiting from the management of buffer zones. After a constant efforts made by trade unions, the Government of Nepal has recently released a Forestry Policy that also provides for the protection of rights of workers in this sector and for making their jobs secure and dignified. Provisions of the policy include: Forest fire fighting and management of hazardous working area, protection and conservation of the forest and wildlife, control on wildlife crimes, and professional or occupational protection of workers and employees who are involved in laboratory, wildlife industry etc. Similarly, the forest policy puts emphasis to life insurance and other benefits to workers and employees, human resources development, and launching of capacity development programmes in this sector.
## Chronology of Major Political Events in Nepal

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>15 April 2015</td>
<td>Former Prime Minister Mr. Surya Bahadur Thapa passed away</td>
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<tr>
<td>25 April 2015</td>
<td>Devastating Earthquake killed more than 9000 people and destroyed thousands of buildings</td>
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<tr>
<td>20 September 2015</td>
<td>Promulgation of New Constitution through the Constituent Assembly</td>
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<tr>
<td>24 September 2015</td>
<td>India imposed undeclared blockade at major check points in the borders with Nepal calling the new constitution of Nepal not inclusive. This unofficial blockade lasted for six months.</td>
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<tr>
<td>11 October 2015</td>
<td>Chairman of CPN (UML), KP Sharma Oli elected as Prime minister of the Country</td>
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<tr>
<td>16 October 2015</td>
<td>Ms. Onsari Gharti elected as the first female speaker of legislative parliament of the country</td>
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<tr>
<td>28 October 2015</td>
<td>Ms. Bidhya Devi Bhandari elected as the first female President of the Country</td>
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<tr>
<td>9 November 2015</td>
<td>GEFONT President Mr. Bishnu Rimal appointed as Chief Political Advisor of the Prime Minister</td>
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<tr>
<td>9 February 2016</td>
<td>Former Prime Minister Mr. Sushil Koirala passed away</td>
</tr>
<tr>
<td>19 February 2016</td>
<td>Prime Minister KP Sharma Oli visits India</td>
</tr>
<tr>
<td>20 March 2016</td>
<td>Prime Minister KP Sharma Oli visits China and signed historical Transit Transport Agreement (TTA)</td>
</tr>
<tr>
<td>12 April 2016</td>
<td>Ms. Susila Karki was appointed as the first female acting Chief Justice of Nepal</td>
</tr>
<tr>
<td>7 March 2016</td>
<td>Main opposition party organizes its 13th National General Convention and Mr. Sher Bahadur Deuba elected party President</td>
</tr>
<tr>
<td>8 May 2016</td>
<td>Government presents policy and programmes for the next fiscal year, major suggestions provided by trade unions were addressed in the policy and programmes</td>
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## Labour Related Major Events

<table>
<thead>
<tr>
<th>Date</th>
<th>Events</th>
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<tbody>
<tr>
<td>1 May 2015</td>
<td>JTUCC organized the celebration of May Day. Candles were lightened in the memory of people died in the devastating earthquake</td>
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<tr>
<td>17 June</td>
<td>GEFONT constructed and handled 37 houses of earthquake victims and one community building in Chaturegaun of Kavre district.</td>
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<tr>
<td>20 July</td>
<td>Government approved the ‘free visa free ticket’ policy, this created mandatory for agencies to charge maximum NRs 10000 as service charge from workers going to work in six Gulf countries and Malaysia.</td>
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<tr>
<td>7 August</td>
<td>GEFONT celebrated its founding day distributing relief materials to earthquake victims</td>
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<td></td>
<td>JTUCC Women Convention</td>
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<tr>
<td>15 August</td>
<td>Nepal and Israel signed in an trial agreement to open the market for caregivers</td>
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<tr>
<td>Date</td>
<td>Event</td>
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<tr>
<td>3 - 4 September 2015</td>
<td>One Vehicle driver was killed in Nawalparasi district during Terai agitation</td>
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<tr>
<td>23 September</td>
<td>The International Solidarity Meeting Concludes with the slogans of “Reconstruction: By Creating Decent Jobs”</td>
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<tr>
<td>8 October</td>
<td>A Labour was found dead while working in the Jagdamba Steels</td>
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<tr>
<td>15 October</td>
<td>In the leadership of GEFON interaction programme was organized in the Capital City in the issue of “Promotion of Readymade clothes industry for Decent Work Creation”</td>
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<tr>
<td>2 - 3 November</td>
<td>Non Residential Nepali Concludes reelecting Mr. Shesh Ghalay as president</td>
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<tr>
<td>18 December</td>
<td>PM KP Sharma Oli inaugurate National Representatives Council Meeting of GEFONT and organize interaction programme on New Constitution and Labour</td>
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<tr>
<td>21 December 2015</td>
<td>GEFONT Support Group in Malaysia, Qatar and UAE organized various programmes on the occasion of Migrant Workers Day</td>
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<tr>
<td>8 February</td>
<td>Honourable President, Ms. Bidhya Devi Bhandari inaugurated First Labour Parliament Meeting</td>
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<tr>
<td>29 February</td>
<td>Secretary of GEFONT Malaysia Mr. Bishnu Lamsal submitted memorandum/recommendations to Nepalese Embassy in Malaysia</td>
</tr>
<tr>
<td>19 March</td>
<td>Press Conference organized in Kathmandu demanding security of the workers in Qatar by trade unions</td>
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<tr>
<td>20 November</td>
<td>Quarter make unsuccessful attempt to deport one Nepali worker in charge of organizing workers</td>
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<tr>
<td>20 November 2015</td>
<td>GEFONT distributed relief materials to earthquake victims</td>
</tr>
<tr>
<td>21 December</td>
<td>New leadership was elected in JTUCC, Khila Nath Dahal</td>
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<tr>
<td>2 January</td>
<td>GEFONT organize its council meeting</td>
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<tr>
<td>5 March</td>
<td>Clean Cloth Campaign Concludes</td>
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<tr>
<td>8 June</td>
<td>Nepal Forum organizes in Geneva of Switzerland, 150 representatives participated</td>
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<tr>
<td>29 Jan - 29 Mar</td>
<td>National campaign of GEFONT lunches on the labour issues addressed in the New Constitution and other contemporary political issues</td>
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<tr>
<td>15 February</td>
<td>Minimum Wage Revision 1700</td>
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<tr>
<td>8 March</td>
<td>Labour Women Day celebrated</td>
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<tr>
<td>9 April</td>
<td>One labour working in the chicken farm died due to bashing from his boss in Mahottari District</td>
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<tr>
<td>16 May</td>
<td>May Day celebrated in different cities of Nepal. Thousands of labours participated</td>
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<tr>
<td>21 July</td>
<td>Recommendation submitted by trade unions to Speaker of Constituent Assembly Mr. Subash Newang on the labour issues that needed to be addressed in the new constitution</td>
</tr>
<tr>
<td>29 April</td>
<td>JTUCC submitted 18 points recommendations to Minister of Finance on the labour issues that need to be included in the Government of Nepal’s fiscal budget</td>
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In solidarity with AHIDA-Australia and technical collaboration with PPEA- Progressive Professional Engineers Association, GEFONT volunteers remade entire Village- Chaure Gaun at Kavre district. Total 37 temporary shelters for earth quake victims within were built in a single day, where 300 GEFONT volunteers along with 50 PPEA engineers involved. Above Google-map is it’s witnessed.