

Nepal's Laws Leave Child Workers Defenseless Against Abuse and Death

Kathmandu: The suspicious death of a 12 year-old domestic worker in Kathmandu, followed by a bungled police response, has galvanized Nepali civil society and prompted calls for the enforcement and revision of Nepal's child labor laws.



Sima and Sabita Chaudhary (right) were rescued by BASE from domestic slavery. In 2011, they met with Chantal Uwizera, the BASE Peace Fellow.

Srijana Chaudhary, 12, from Nepal's Tharu minority, was found dead from severe burns on March 27 in the house where she worked in Kathmandu. After simmering for weeks, the case erupted into a full-blown crisis in June after former domestic servants [organized a protest](#) in the main square in Kathmandu. The police arrested scores of protesters and beat several others unconscious, including their leader Urmila Chaudhary, pictured below. (Urmila was not related to Srijana).

At this, child protection advocates called a strike in the western district of Dang, which is the main recruiting ground for domestic servants like Srijana. The strike was led by Backward Society Education (BASE), a grassroots Tharu organization and long-time partner of The Advocacy Project (AP). AP has sent two Peace Fellows to BASE this summer from US universities - [Emily MacDonald](#) (The Fletcher School at Tufts University) and [Sujita Basnet](#) (George Washington University). Sujita is a Nepali American, and very active in the Nepali diaspora.

BASE suspended the June strike after the government promised an inquiry, but the mood turned tense again last week when Ms Chaudhary's group accused the government of stalling and issued another list of demands.

Children account for about seven percent of Nepal's work force, and domestic servants like Srijana are among the most publicized examples. Known as *kamlaris*, they are sold by their impoverished parents to wealthy employers at an early age - sometimes as young as five. Far from home and vulnerable to abuse, they receive little protection from the law.

As Emily MacDonald pointed out [in a recent blog](#), Nepal's 1992 Child Labour Act prohibits the employment of children under 14, but no Nepali has yet been jailed under the law. One reason is that the enforcement is left to government administrators, not judges.

Such is the impunity enjoyed by employers that even acts of violence are rarely punished. Srijana's employer, Ybaraj Poudel, claimed that Srijana had been depressed over bad grades at school and committed suicide. This was hard to challenge because the Poudel family quickly covered their tracks. They cremated the body, summoned Srijana's father from Dang, and had him sign two blank documents with a thumb print. These were later filled in by the police and gave suicide as the cause of death.



Urmila Chaudhary, a former kamlari, heads the Freed Kamlari Development Forum (FKDF). Urmila led the protest in Kathmandu and was beaten unconscious by the police.

But Urmila Chaudhary made her own inquiries at Srijana's school and found that Srijana had been a star student. Srijana had been alone in the house with her employer's brother-in-law when she died, leading Urmila to conclude that Srijana had been sexually abused and then set on fire.



AP and BASE visited the Shiva brick factory in Dang district, owned by Mohan Gharbi, and found boys and girls working 12 hours a day hauling bricks. They included Rima Sharvi (above).

After she was released from hospital in June, Urmila Chaudhary told Peace Fellow Emily MacDonald that 11 other *kamlaris* have died recently in suspicious circumstances, and called for international pressure on the Nepali government. Emily [blogged about her meeting with Urmila](#), and about Urmila's group.

As part of their fellowships, Emily and Sujita are helping

BASE to develop a database of working children and their employers, with a view to launching prosecutions. This, believes BASE, is the only way to put some fear into

employers and slow the abuses.

AP certainly shares this view. During a field trip in Dang district last year, BASE and AP met with two employers, Shreekant Chaudhary and Archana Malla, in the presence of their *kamlaris*, aged 14 and 8. Both employers claimed that they were doing the girls' parents a favor by paying for the upkeep of their daughters. In fact, as they well knew, they were openly breaking the law.

- Watch [video coverage of the June protest by freed kamlaris](#) and the [police crackdown](#)
- Read about [BASE's advocacy and see photos of employers who keep kamlari domestic servants](#)
- "Guilty!" Read how a Nepali Peace Fellow, [Sujita Basnet, views child labor](#)

Connect to AP online!

[Like](#) our Facebook or [Follow](#) our Twitter to get the latest from AP.